



CITY OF  
TUCSON

DEPARTMENT OF  
URBAN  
PLANNING &  
DESIGN

June 29, 2004

To: Subscriber to the Tucson *Land Use Code (LUC)*

**SUBJECT: SUPPLEMENT NO. 32 TO THE LAND USE CODE (LUC)**

Dear Subscriber:

Enclosed is Supplement No. 32 to your copy of the City of Tucson *Land Use Code (LUC)*. An explanation of the revisions included in this Supplement is also enclosed.

This Supplement includes Ordinance No. 9967 Consolidating the Procedures for Implementation of Development Regulations, adopted by the Mayor and Council on May 17, 2004. In addition, some minor formatting errors have been corrected.

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Please insert and maintain this instruction sheet in the front of your copy of the *LUC*.

Should you have any questions while replacing these pages, please call me at 791-4505.

Sincerely,

Blanca Alderete  
Secretary

/s/luc/supltr32.doc

Enclosures:      Summary of Amendment  
                         Supplement No. 32

**TUCSON LAND USE CODE (LUC) - SUPPLEMENT NO. 32**

**SUMMARY OF AMENDMENTS**

**ORDINANCE NO. 9967**

**ORDINANCE NO. 9967 (Adopted on May 17, 2004)**

*Consolidating the Procedures for Implementation of Development Regulations.* This supplement includes amendments to the Tucson Code that consolidate the legislative, administrative and appeal procedures for land use and development approvals. Amendments have been made to the *Land Use Code (LUC) (Chapter 23)*; the Development Compliance Review codes (*Chapter 23A*); and the Watercourse, Amenities, Safety and Habitat (WASH) regulations (*Chapter 29*). The Development Standards are also amended to conform to the code amendments.

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ARTICLE I. GENERAL PROVISIONS

DIVISION 1. INTRODUCTION

SECTIONS:

1.1.1	TITLE
1.1.2	PURPOSE
1.1.3	SCOPE
1.1.4	VIOLATION
1.1.5	CONSISTENCY
1.1.6	ENUMERATION

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- 1.1.1 TITLE.** This ordinance is enacted as Chapter 23 of the Tucson Code and may be cited as the "*Land Use Code*" or "*LUC*" of the City of Tucson.
- 1.1.2 PURPOSE.** The provisions of the *LUC* are established to protect and promote the general health, safety, and welfare of all present and future residents of Tucson and more specifically:
- 1.1.2.1 To implement the *General Plan*. (Ord. No. 9517, §1, 2/12/01)
- 1.1.2.2 To guide new growth and redevelopment of the community in accordance with the policies of the *General Plan*. (Ord. No. 9517, §1, 2/12/01)
- 1.1.2.3 To encourage the most efficient use of land through site sensitive design.
- 1.1.2.4 To reduce potential hazards to individuals and neighborhoods (public) that result from incompatible land uses or from the development of environmentally hazardous or sensitive lands.
- 1.1.2.5 To protect and enhance the city's natural, cultural, historical, and scenic resources.
- 1.1.2.6 To promote the economic stability of the community.
- 1.1.3 SCOPE.** The provisions of the *Land Use Code (LUC)* apply to all uses of land within the city. No land will be divided into two (2) or more parcels or be used or occupied, no site modification or construction started, and no existing use or structure expanded, reconstructed, changed, or otherwise altered until compliance with the provisions of the *LUC* have been certified. No City agency shall issue approvals or permits for, nor shall any person commence, excavation, grubbing, grading, paving, demolition, or construction of any sort before compliance with *LUC* regulations has been certified. The *LUC* is applied in conjunction with the Development Compliance Code, Chapter 23A of the Tucson Code, which sets forth the administrative and appeal provisions for the approval of proposed land uses and development. (Ord. No. 9392, §1, 5/22/00; Ord. No. 9967, §1, 7/1/04)
- 1.1.4 VIOLATION.** The violation of any provision of the *LUC* shall be considered a civil infraction subject to the enforcement proceedings provided in the Tucson Code. Each day that such violation continues constitutes a separate infraction.
- 1.1.5 CONSISTENCY.** All provisions of the *LUC* shall be consistent with the *General Plan*, the Development Compliance Code, Chapter 23A of the Tucson Code, and other related plans and policies adopted by the Mayor and Council. (Ord. No. 9517, §1, 2/12/01, Ord. No. 9967, §1, 7/1/04)
- 1.1.6 ENUMERATION.** The Tucson Code establishes an outline of organization in descending order of chapter, article, division, section, subsection, paragraph, sentence, clause, and words. The *LUC* is arranged in the same

organizational format with minor modification. Chapter 23, the *LUC*'s assigned chapter within the Tucson Code, is implied but not used when referencing within the *LUC*.

- 1.1.6.1 Hierarchy. The hierarchy used in the *LUC* is a combination of numerical digits separated by a period to denote the descending order of article, division, section, and so on. For example, Sec. 6.0.0 references Article VI, and Sec. 6.3.0 references Article VI, Division 3. Sec. 6.3.5 references Article VI, Division 3, Section 5. Sec. 6.3.5.5.A. references Article VI, Division 3, Section 5, subsection 5, paragraph A.

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**DIVISION 2. INTERPRETATION**

**SECTIONS:**

- 1.2.1 INTERPRETATION OF THE *LAND USE CODE (LUC)***
  - 1.2.2 CONFLICTING PROVISIONS**
  - 1.2.3 EFFECT ON OTHER PROVISIONS**
  - 1.2.4 NO RELIEF FROM OTHER PROVISIONS**
  - 1.2.5 LAND USES AS ALLOWED IN THE *LUC***
  - 1.2.6 MORE RESTRICTIVE ZONING**
  - 1.2.7 CONTINUING EXISTING USES**
  - 1.2.8 RESTORING UNSAFE STRUCTURES**
  - 1.2.9 ZONING OF LAND ANNEXED INTO THE CITY**
  - 1.2.10 VARIANCE AND MODIFICATION REQUESTS, APPEALS**
  - 1.2.11 SEVERABILITY**
- 

- 1.2.1 INTERPRETATION OF THE *LAND USE CODE (LUC)*.** Where questions occur concerning the content or application of the *Land Use Code (LUC)*, the Zoning Administrator shall render a final decision and interpretation on the matter in accordance with the Zoning Compliance Review Procedure, Sec. 23A-31. In making a determination, the Zoning Administrator shall rely on the purpose of the section in question. Zoning Administrator interpretations can be appealed through a Board of Adjustment Appeal Procedure, Sec. 23A-61. Appeals must be filed within thirty (30) days of the date of decision. The Board of Adjustment, under extenuating circumstances, may extend the thirty (30) day appeal period. (Ord. No. 8765, §1, 10/14/96; Ord. No. 9138, §1, 10/5/98; Ord. No. 9179, §1, 12/14/98; Ord. No. 9967, §1, 7/1/04)

- 1.2.1.1 Interpretation of Procedures for Rezoning.** Amendments which were adopted on April 10, 2000, conform the *LUC* to established law and practice and should not be construed as effectuating substantive changes to the amended provisions. Specifically, these amendments should be construed as continuing the practice of adopting a nonbinding authorization for a rezoning case and subsequently adopting an ordinance as the final legislative act, as authorized by the previously adopted Zoning Code and the currently adopted *Land Use Code (LUC)*, prior to the amendments. (Ord. No. 9374, §1, 4/10/00)

**Editor's Note:** All graphics included in the *LUC* are for illustrative purposes and do not have legal status.

**Editor's Note:** Section references to codes and laws other than those in the *Land Use Code (LUC)*, such as the Arizona Revised Statutes (ARS) or other chapters in the Tucson Code, are generally provided for the reader's convenience. Since these codes and laws are adopted separate from the *LUC*, the references are administratively amended as needed to assure that correct references are maintained. These administrative amendments do not affect the substantive application of the *LUC*.

- 1.2.2 CONFLICTING PROVISIONS.** Should any provisions within the *LUC* conflict, the most restrictive applies, unless otherwise stipulated.
- 1.2.3 EFFECT ON OTHER PROVISIONS.** The provisions of the *LUC* do not abrogate any other ordinance, statute, regulation, private covenant, agreement, or contract which is more restrictive or which requires greater performance in the regulation of any land use or development within the city.
- 1.2.4 NO RELIEF FROM OTHER PROVISIONS.** Except as otherwise specifically provided, no provision of the *LUC* shall be construed as relieving any party, to whom *LUC* compliance approval is issued, from any other provision of county, state, or federal law or from any provision, ordinance, or regulation of the City of Tucson requiring approval, license, or permit to accomplish, engage in, carry on, or maintain a particular business, enterprise, occupation, transaction, or use.

**1.2.5 LAND USES AS ALLOWED IN THE *LUC*.** The *LUC* applies land use restrictions through the use of zoning categories or districts. The zones are described in Article II of the *LUC*, and districts are delineated on the City Zoning Maps. Within Article II, each zone lists the land use classes permitted within the zone and the conditions under which they are allowed. Only those land uses listed for that zone are permitted within the zone.

**1.2.6 MORE RESTRICTIVE ZONING.** Within the *LUC*, reference is made to "more restrictive zoning" in applying Development Regulations. For the purpose of application, this phrase shall apply in the following order, which lists the zones from the most restrictive (OS) to the least restrictive (I-2). Determination of where the Planned Area Development (PAD) zone is listed shall be made on a case-by-case basis by the Zoning Administrator, comparing the primary uses allowed within the PAD zone and the primary purpose of each zone. (Ord. No. 9374, §1, 4/10/00)

"OS"	OPEN SPACE ZONE
"IR"	INSTITUTIONAL RESERVE ZONE
"RH"	RURAL HOMESTEAD ZONE
"SR"	SUBURBAN RANCH ZONE
"SH"	SUBURBAN HOMESTEAD ZONE
"RX-1"	RESIDENCE ZONE
"RX-2"	RESIDENCE ZONE
"R-1"	RESIDENCE ZONE
"R-2"	RESIDENCE ZONE
"MH-1"	MOBILE HOME ZONE
"MH-2"	MOBILE HOME ZONE
"R-3"	RESIDENCE ZONE
"O-1"	OFFICE ZONE
"O-2"	OFFICE ZONE
"O-3"	OFFICE ZONE
"P"	PARKING ZONE
"RV"	RECREATIONAL VEHICLE ZONE
"NC"	NEIGHBORHOOD COMMERCIAL ZONE
"RVC"	RURAL VILLAGE CENTER ZONE
"C-1"	COMMERCIAL ZONE
"C-2"	COMMERCIAL ZONE
"C-3"	COMMERCIAL ZONE
"MU"	MULTIPLE USE ZONE
"OCR-1"	OFFICE/COMMERCIAL/RESIDENTIAL ZONE
"OCR-2"	OFFICE/COMMERCIAL/RESIDENTIAL ZONE
"P-I"	PARK INDUSTRIAL ZONE
"I-1"	LIGHT INDUSTRIAL ZONE
"I-2"	HEAVY INDUSTRIAL ZONE

(Ord. No. 9374, §1, 4/10/00)

**1.2.7 CONTINUING EXISTING USES.** Structures or uses lawfully existing or operating may continue to be used or to operate as nonconforming structures or uses, if the structures or uses no longer comply with applicable regulations of the property on which they are located.

Discontinuance and resumption of a nonconforming use, expansion and substitution of nonconforming uses or structures, reconstruction of nonconforming structures, or loss of nonconforming status shall be in conformance with Sec. 5.3.6.

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- 1.2.8 RESTORING UNSAFE STRUCTURES.** Nothing in this Chapter shall prevent the strengthening, restoration, or upgrading of a structure to conform to minimum Building or Fire Code requirements.
- 1.2.9 ZONING OF LAND ANNEXED INTO THE CITY.** The applicable zoning regulations on land annexed into the city, unless otherwise stipulated in the annexation ordinance, shall continue to be the county zoning regulations applicable to the property prior to annexation until such time they are replaced by city regulations. City zoning regulations must be placed on annexed land within six (6) months of the date of annexation. Zoning regulations, districts, overlay zones, and City Zoning Maps are extended to the annexed land through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §1, 7/1/04)
- 1.2.10 VARIANCE AND MODIFICATION REQUESTS, APPEALS.** Requests for variance or modification from regulations specifically enumerated within this Chapter or referenced as Development Standards and appeals of decisions on those requests are considered in accordance with the following procedures.
- 1.2.10.1 LUC Variance Requests and Appeals of Decisions. Requests for variances from requirements in Chapter 23 of the Tucson Code are considered in accordance with Sec. 5.3.3, Variances, unless specifically stated otherwise. (Ord. No. 8765, §1, 10/14/96; Ord. No. 9179, §1, 12/14/98)
- 1.2.10.2 LUC Modification Requests and Appeals of Decisions. Requests to modify *LUC* requirements through Design Development Options, Sec. 5.3.4 and 5.3.5 are considered by the Director of the Development Services Department. Appeals of the Director's decisions are considered through the Board of Adjustment Appeal Procedure, Sec. 23A-61. (Ord. No. 9967, §1, 7/1/04)
- 1.2.10.3 Development Standard Modification Request. Requests to modify requirements in Development Standards shall be considered in accordance with the procedures set forth in Development Standard 1-01.0. However, if the particular Standard from which a modification is requested is a requirement or regulation of this Chapter, a request to modify or vary that regulation shall be considered in accordance with procedures established in Sec. 1.2.10.1 or Sec. 1.2.10.2, as applicable.
- Appeals of decisions made regarding Development Standard modification requests are considered in accordance with Development Standard 1-01.0. (Ord. No. 9392, §1, 5/22/00)
- 1.2.11 SEVERABILITY.** If any section, subsection, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional, such findings do not affect the validity or constitutionality of the remaining portions of these regulations.

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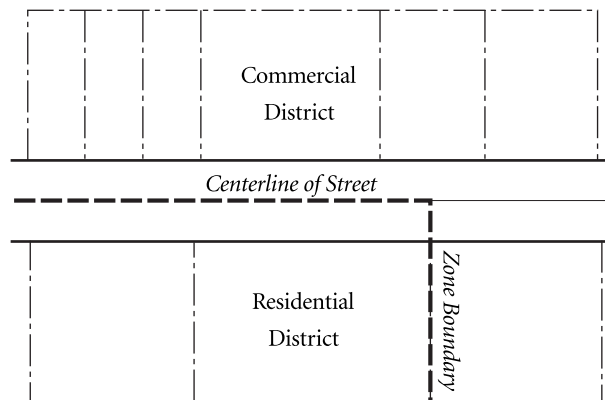
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**DIVISION 3. MAPPING**

**SECTIONS:**

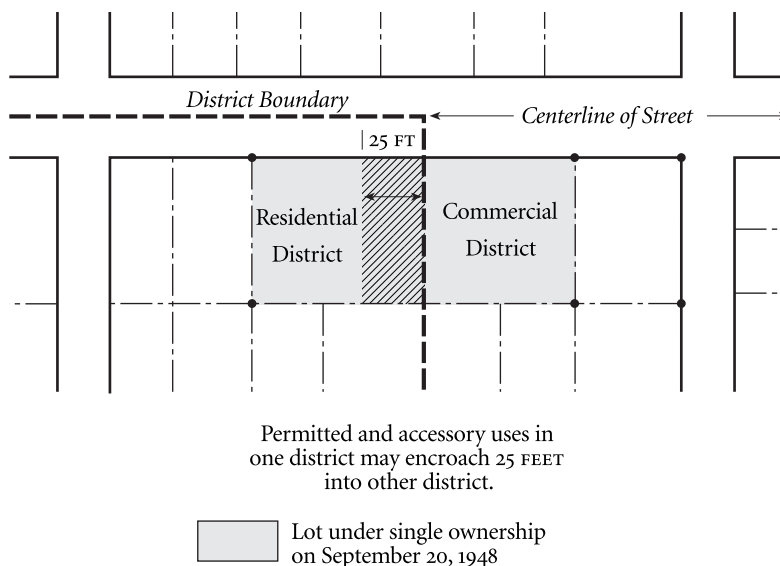
- 1.3.1 TITLE**
  - 1.3.2 PURPOSE**
  - 1.3.3 APPLICABILITY**
  - 1.3.4 DETERMINATION OF ZONE BOUNDARIES**
  - 1.3.5 ZONE BOUNDARIES DIVIDING A LOT**
  - 1.3.6 ZONE BOUNDARY CONFLICT**
  - 1.3.7 ZONING OF RIGHT-OF-WAY**
- 

- 1.3.1 TITLE.** A set of maps depicting all land use zoning boundaries within the city of Tucson is established and entitled "City of Tucson Zoning Maps."
- 1.3.2 PURPOSE.** The city is divided into land use zoning districts, and the establishment of the zoning maps is for the purpose of graphically indicating the locations of all land use zone boundaries within the corporate limits of the city, facilitating the application of the *Land Use Code (LUC)* on each individual piece of property.
- 1.3.3 APPLICABILITY.** The City of Tucson Zoning Maps, as part of the *LUC*, depict the land use regulations applicable on each individual property within the city limits by identifying the zoning classification that applies on each property. Maps are added to the set upon the adoption of original city zoning for land annexed into the city.
- 1.3.4 DETERMINATION OF ZONE BOUNDARIES.** Zone boundary lines are intended to follow lot lines to the centerlines of streets, alleys, railroad rights-of-way, or extensions of such rights-of-way, except where referenced to a street line or other designated line. (*See Illustration 1.3.4.*)



**1.3.4 Determination of Zone Boundaries**

- 1.3.5 ZONE BOUNDARIES DIVIDING A LOT.** On any lot that was under single ownership and of record on September 20, 1948, and divided by a zone boundary into two (2) or more separate zoning categories, the permitted uses and accessory uses allowed in one zone may encroach twenty-five (25) feet into the other zone if such zone is more restrictive and the encroaching use is not permitted in the more restrictive zone. (See *Illustration 1.3.5.*)



### 1.3.5 Zone Boundaries Dividing a Lot

- 1.3.6 ZONE BOUNDARY CONFLICT.** If any question arises concerning the location of a land use zone boundary, the Zoning Administrator renders a final decision and interpretation on the matter in conformance with Sec. 23A-31(5). Any appeal of the Zoning Administrator's decision is processed in accordance with a Board of Adjustment Appeal Procedure, Sec. 23A-61. (Ord. No. 9967, §1, 7/1/04)
- 1.3.7 ZONING OF RIGHT-OF-WAY.** Zoning is applicable on all property, except street rights-of-way. Use of street rights-of-way for other than public street purposes requires approval by the Zoning Administrator and the Department of Transportation. The Zoning Administrator may allow, within the right-of-way, only those uses or structures that are permitted on the property immediately abutting the right-of-way.



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ARTICLE II. ZONES

DIVISION 1. GENERAL PROVISIONS

SECTIONS:

- 2.1.1 PURPOSE
  - 2.1.2 ESTABLISHMENT OF BOUNDARIES
  - 2.1.3 LAND USE GROUP AND LAND USE CLASS
  - 2.1.4 PERMITTED LAND USES
  - 2.1.5 SPECIAL EXCEPTION LAND USES
  - 2.1.6 SECONDARY LAND USES
  - 2.1.7 ACCESSORY LAND USES
  - 2.1.8 DEVELOPMENT DESIGNATOR
  - 2.1.9 DEVELOPMENT REGULATIONS
  - 2.1.10 OUTDOOR DISPLAY OF PRODUCTS FOR RENT OR SALE
- 

- 2.1.1 **PURPOSE.** The zones described in this Article are established to regulate and separate the locations of land uses as appropriate.
- 2.1.2 **ESTABLISHMENT OF BOUNDARIES.** The boundaries of each zone are determined and defined in accordance with the provisions of the *Land Use Code (LUC)*.
- 2.1.3 **LAND USE GROUP AND LAND USE CLASS.** Each zone regulates permitted land uses under four categories: Permitted Land Uses, Special Exception Land Uses, Secondary Land Uses, and Accessory Land Uses. Each of these categories, with the exception of Accessory Land Uses, lists the allowed uses by Land Use Group and Land Use Class. The Land Use Group is listed to identify the primary activity and for informational referencing. The Land Use Class, which is listed under the Land Use Group, specifies allowed uses within each zone. Land Use Groups are contained and defined in Article VI of the *LUC*.
- 2.1.4 **PERMITTED LAND USES.** Each zone has a section or subsection entitled Permitted Land Uses which lists Land Use Classes allowed as principal uses within that zone. These Land Use Classes are subject to the Development Designator (DD) indicated and any additional conditions listed for each use.
- 2.1.5 **SPECIAL EXCEPTION LAND USES.** Each zone has a section or subsection entitled Special Exception Land Uses which lists all Land Use Classes that may be permitted within that zone only if approved through a Special Exception Land Use procedure and if the use complies with any additional conditions listed for the Land Use Class.
- 2.1.6 **SECONDARY LAND USES.** Each zone has a section or subsection entitled Secondary Land Uses which lists the land uses that are permitted within that zone in conjunction with, but subordinate to, a principal Permitted Land Use. All permitted Secondary Land Uses are subject to any conditions listed for that use, in addition to the requirements of Sec. 3.2.4.
- 2.1.7 **ACCESSORY LAND USES.** Each zone has a section or subsection entitled Accessory Land Uses which references compliance with Sec. 3.2.5, Accessory Uses and Structures. Uses allowed as Accessory Land Uses are those that are incidental to, or necessary for, the operation of the principal Permitted or Secondary Land Use. Accessory uses and structures include, but are not limited to, vehicular use areas, swimming pools, and storage facilities.

- 2.1.8 DEVELOPMENT DESIGNATOR.** Each land use listed as a Permitted or Special Exception Land Use has a Development Designator assigned. The Development Designator, which is the number or letter in quotation marks next to the Land Use Class, establishes the development criteria, such as height, density, and perimeter yards, required for that particular land use. The Development Designator provisions are located in Sec. 3.2.3. (*See Illustration 2.1.8.*)

## Religious Use "21"

### 2.1.8 Development Designator

- 2.1.9 DEVELOPMENT REGULATIONS.** All land uses in all zones, whether permitted, special exception, secondary, or accessory, are required to comply with the requirements of Article III, Development Regulations, which are assigned to that Land Use Class including, but not limited to, height and bulk and with the requirements for off-street parking, loading, screening, and landscaping.
- 2.1.10 OUTDOOR DISPLAY OF PRODUCTS FOR RENT OR SALE.** When outdoor display of finished products for rent or sale at retail or wholesale is permitted, such display areas shall not encroach into areas set aside exclusively for compliance with other criteria, such as, but not limited to, landscaping, pedestrian areas, and motor vehicle and bicycle parking areas and access.

**DIVISION 2. RURAL RESIDENTIAL ZONES**

**SECTIONS:**

- 2.2.1 "IR" INSTITUTIONAL RESERVE ZONE**
  - 2.2.2 "RH" RURAL HOMESTEAD ZONE**
  - 2.2.3 RESERVED**
  - 2.2.4 "SR" SUBURBAN RANCH ZONE**
  - 2.2.5 RESERVED**
  - 2.2.6 "SH" SUBURBAN HOMESTEAD ZONE**
- 

**2.2.1 "IR" INSTITUTIONAL RESERVE ZONE.**

2.2.1.1 Purpose and Applicability. The purpose of this zone is to identify lands in federal, state, city, county, and other public ownership which are natural reserves or wildlife refuge reserves. It is expected that these lands will remain reserves. However, should these lands be proposed for development with other land uses, the following regulations apply. This zone is solely to provide comparable zoning for annexed areas and is not intended for rezoning.

2.2.1.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Civic Use Group, Sec. 6.3.4

1. Cultural Use, limited to nature reserve or wildlife refuge, "21"
2. Protective Service "21", subject to: Sec. 3.5.3.2 and Sec. 3.5.13.6
3. Religious Use "21"

B. Agricultural Use Group, Sec. 6.3.3

1. Animal Production, not including Stockyard Operation, "21", subject to: Sec. 3.5.2.1.A.1, .B.2, .C.2, and .C.3
2. Animal Production, limited to stable or riding school, "21", subject to: Sec. 3.5.2.1.B.2 and .D
3. Crop Production "21", subject to: Sec. 3.5.2.2
4. General Farming "21", subject to: Sec. 3.5.2.1.A.1, .B.2, .C.2, and .C.3 and Sec. 3.5.2.2

C. Commercial Services Use Group, Sec. 6.3.5

1. Animal Service, limited to veterinary hospital or commercial kennel, "21", subject to: Sec. 3.5.4.1.E
2. Communications "21", subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)

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3. Medical Service - Outpatient "21", subject to: Sec. 3.5.4.8.B, Sec. 3.5.4.9.B.2, .C, and .D, and Sec. 3.5.13.1.B

D. Residential Use Group, Sec. 6.3.8

1. Family Dwelling "A"
2. Mobile Home Dwelling "A"

2.2.1.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Civic Use Group, Sec. 6.3.4

1. Cultural Use, other than nature reserve or wildlife refuge, "21", subject to: Sec. 3.5.3.5.A and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9336, §1, 12/13/99; Ord. No. 9967, §2, 7/1/04)
2. Educational Use: Elementary and Secondary Schools "21", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

B. Agricultural Use Group, Sec. 6.3.3

1. Animal Production, limited to a hog ranch, "21", subject to: Sec. 3.5.2.1.C.4 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
2. Stockyard Operation "21", limited to:
  - a. Commercial feedlot, subject to: Sec. 3.5.2.3.A and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
  - b. Livestock auction yard, subject to: Sec. 3.5.2.3.B and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)

C. Commercial Services Use Group, Sec. 6.3.5

1. Administrative and Professional Office "21", subject to: Sec. 3.5.4.18 and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)
2. Communications "21", subject to: Sec. 3.5.4.20.A, Sec. 3.5.13.1.B, and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
3. Communications "21", limited to wireless communication towers and antennae, subject to: Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.1, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)
4. Construction Service "21", subject to: Sec. 3.5.4.21, Sec. 3.5.13.1.B, and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)

5. Entertainment "21", limited to:
  - a. Carnival, subject to: Sec. 3.5.4.4.E and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9967, §2, 7/1/04)
  - b. Racetrack for the racing of animals, subject to: Sec. 3.5.4.4.E and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9967, §2, 7/1/04)
6. Transportation Service, Air Carrier, "21"
  - a. Airport facilities, subject to: Sec. 3.5.4.23.A, .B, .C, and .D and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9967, §2, 7/1/04)
  - b. General aviation airstrip, subject to: Sec. 3.5.4.23.A, .B.1, .2, and .3, .C, .D, .E, and .F and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9967, §2, 7/1/04)
  - c. Ultralight airstrip, subject to: Approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9967, §2, 7/1/04)
  - d. Ultralight flight park, subject to: Sec. 3.5.4.23.B.1, .2, and .3, .C, and .D and approval through a Zoning Examiner Legislative Procedure Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9967, §2, 7/1/04)
7. Travelers' Accommodation, Lodging, "21", subject to: Approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 8813, §1, 3/3/97)

D. Industrial Use Group, Sec. 6.3.6

1. Extraction "21", subject to: Sec. 3.5.5.3 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9967, §2, 7/1/04)
2. Perishable Goods Manufacturing "21", subject to: Sec. 3.5.5.2.B and .C and approval through a Zoning Examiner Legislative Procedure Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9967, §2, 7/1/04)

E. Retail Trade Use Group, Sec. 6.3.10

1. General Merchandise Sales "21", limited to:
  - a. Artists or artisans workshop or studio, subject to: Sec. 3.5.9.2.B and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  - b. Feed store, subject to: Sec. 3.5.13.1.B and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9967, §2, 7/1/04)

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F. Utilities Use Group, Sec. 6.3.12

1. Distribution System "21", limited to:
  - a. Power substations with an input voltage of one hundred fifteen (115) kilovolts or greater, subject to: Sec. 3.5.11.1.C, .F, .G, and .J and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  - b. Telephone, telegraph, or power substations with an input voltage of less than one hundred fifteen (115) kilovolts, subject to: Sec. 3.5.11.1.B and .H and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  - c. Water pumping and storage facilities operated as part of a system serving two (2) or more properties as a public, private, or community utility, subject to: Sec. 3.5.11.1.D and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

2.2.1.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. Home Occupations are permitted as Secondary Land Uses to Family Dwelling or Mobile Home Dwelling.

1. Home Occupation: General Application, subject to: Sec. 3.5.7.2
2. Home Occupation: Group Dwelling, subject to: Sec. 3.5.7.9.A, .C, and .D

B. The following is permitted as a Secondary Land Use to the Agricultural Use Group.

1. Retail Trade Use Group, 6.3.10
  - a. Food and Beverage Sales as a Secondary Land Use to Crop Production, subject to: Sec. 3.5.9.1.B.1, .C, .D, .E, .F, .G, .H, and .I

C. The following are permitted as Secondary Land Uses to Religious Use.

1. Civic Use Group, Sec. 6.3.4
  - a. Cemetery, subject to: Sec. 3.5.3.1.D
2. Industrial Use Group, Sec. 6.3.6
  - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §1, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

D. The following are permitted as Secondary Land Uses to Travelers' Accommodation, Lodging, subject to: Sec. 3.5.4.17.A, .B, .C, .D, .E, .F.2, and .G, if approved as part of an approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3, for the Permitted Land Use. (Ord. No. 9967, §2, 7/1/04)

1. Commercial Services Use Group, Sec. 6.3.5

- a. Alcoholic Beverage Service, subject to: Sec. 3.5.4.19.C
- b. Civic Assembly
- c. Food Service, subject to: Sec. 3.5.4.6.C

2. Recreation Use Group, Sec. 6.3.7

- a. Recreation

E. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.1.

F. The following is permitted as a Secondary Land Use to Educational Use.

1. Industrial Use Group, Sec. 6.3.6

- a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §1, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

2.2.1.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

2.2.1.6 Exceptions.

- A. Nonconforming Parcels. Parcels of less than thirty-six (36) acres, recorded prior to December 1, 1985, which conformed to minimum lot size requirements in effect on the date of recording, shall be deemed to contain an area of thirty-six (36) acres.

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**2.2.2 "RH" RURAL HOMESTEAD ZONE.**

2.2.2.1 Purpose and Applicability. This zone is intended to preserve the character and encourage the orderly growth of rural areas. It is intended to encourage rural development in areas lacking facilities for urban development and to provide for commercial and industrial development only where appropriate and necessary to serve the needs of the rural area. This zone is solely to provide comparable zoning for annexed areas and is not intended for rezoning.

2.2.2.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Agricultural Use Group, Sec. 6.3.3

1. Animal Production, not including Stockyard Operation, "25", subject to: Sec. 3.5.2.1.A.1, .B.2, and .C.2
2. Animal Production, limited to stable or riding school, "2", subject to: Sec. 3.5.2.1.A.2, .B.2, and .D.2
3. Crop Production "25", subject to: Sec. 3.5.2.2
4. General Farming "25", subject to: Sec. 3.5.2.1.A.1, .B.2, and .C.2 and Sec. 3.5.2.2

B. Civic Use Group, Sec. 6.3.4

1. Cultural Use, limited to nature reserve, "25"
2. Protective Service "25", subject to: Sec. 3.5.3.2 and Sec. 3.5.13.6
3. Religious Use "25", subject to: Sec. 3.5.3.6

C. Commercial Services Use Group, Sec. 6.3.5

1. Animal Service, limited to veterinary hospital, "25", subject to: Sec. 3.5.4.1.C and .E
2. Communications "25", subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
3. Day Care "25"
  - a. Adult day care, subject to: Sec. 3.5.4.25.A
  - b. Child care, subject to: Sec. 3.5.4.3.A, .B, .C, .D, .E, .F.1, and .G.1
4. Medical Service - Outpatient "25", subject to: Sec. 3.5.4.8.B, Sec. 3.5.4.9.B.2, .C, and .D, and Sec. 3.5.13.1.B

D. Residential Use Group, Sec. 6.3.8

1. Family Dwelling "B"



2. Mobile Home Dwelling "B"
3. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "B", subject to: Sec. 3.5.7.8.C.1 and .D

2.2.2.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Agricultural Use Group, Sec. 6.3.3

1. Animal Production, limited to a hog ranch, "25", subject to: Sec. 3.5.2.1.C.4 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
2. Stockyard Operation, limited to a commercial feedlot, "25", subject to: Sec. 3.5.2.3.A and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)

B. Civic Use Group, Sec. 6.3.4

1. Cemetery "25", subject to: Sec. 3.5.3.1.C and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
2. Cultural Use, other than nature reserve or wildlife refuge, "25", subject to: Sec. 3.5.3.5.A and approval through a Zoning Examiner Legislative Procedure Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9336, §1, 12/13/99; Ord. No. 9967, §2, 7/1/04)
3. Educational Use: Elementary and Secondary Schools "25", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

C. Commercial Services Use Group, Sec. 6.3.5

1. Administrative and Professional Office "25", subject to: Sec. 3.5.4.18 and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
2. Alcoholic Beverage Service "25", subject to: Sec. 3.5.4.19.A and .C and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
3. Animal Service, limited to commercial kennel, "25", subject to: Sec. 3.5.4.1.F and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
4. Automotive - Service and Repair "25", subject to: Approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
  - a. Major Service and Repair, also subject to: Sec. 3.5.4.2.F
  - b. Minor Service and Repair, also subject to: Sec. 3.5.4.2.A and .F and Sec. 3.5.13.1.B

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5. Communications "25", subject to: Sec. 3.5.4.20.A, Sec. 3.5.13.1.B, and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
6. Communications "25", limited to wireless communication towers and antennae, subject to: Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.1, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)
7. Construction Service "25", subject to: Sec. 3.5.4.21, Sec. 3.5.13.1.B, and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
8. Day Care "25", subject to: Sec. 3.5.13.5 and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  - a. Child care, also subject to: Sec. 3.5.4.3.A, .B, .C, .D, .E, .F.3, .G.6, and .H, or
  - b. Child care, also subject to: Sec. 3.5.4.3.A, .B, and .I
9. Entertainment "25", limited to:
  - a. Fairground or carnival, subject to: Sec. 3.5.4.4.E and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
  - b. Racetrack for the racing of animals, subject to: Sec. 3.5.4.4.E and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
10. Financial Service "25", subject to: Sec. 3.5.4.5.B, Sec. 3.5.13.1.B, and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
11. Food Service "25", subject to: Sec. 3.5.4.6.C and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
12. Funeral Service, limited to crematorium, "25", subject to: Sec. 3.5.4.22.B and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
13. Personal Service "25", subject to: Sec. 3.5.4.13.D and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
14. Trade Service and Repair, Minor, "25", subject to: Approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
15. Transportation Service, Air Carrier, "25"
  - a. Airport facilities, subject to: Sec. 3.5.4.23.A, .B, .C, and .D and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
  - b. General aviation airstrip, subject to: Sec. 3.5.4.23.A, .B.1, .2, and .3, .C, .D, .E, and .F and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)

16. Travelers' Accommodation, Lodging, "2", subject to: Approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 8813, §1, 3/3/97)

D. Industrial Use Group, Sec. 6.3.6

1. Extraction "25", subject to: Sec. 3.5.5.3 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
2. Perishable Goods Manufacturing "25", subject to: Sec. 3.5.5.2.B and .C and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
3. Primary Manufacturing, limited to asphalt and cement plants, "25", subject to: Sec. 3.5.5.3 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)

E. Recreation Use Group, Sec. 6.3.7

1. Recreation "25", subject to: Sec. 3.5.6.4, Sec. 3.5.13.1.B, and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)

F. Residential Use Group, Sec. 6.3.8

1. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "25", subject to: Sec. 3.5.7.8.C.2 and .D and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04), or
2. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "25", subject to: 3.5.7.8.C.4, .D, and .G (except no minimum lot size) and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

G. Retail Trade Use Group, Sec. 6.3.10

1. Food and Beverage Sales "25", subject to: Sec. 3.5.9.1.J and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
2. General Merchandise Sales "25", subject to: Approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. The following specific General Merchandise Sales uses are subject to the listed performance criteria. (Ord. No. 9967, §2, 7/1/04)
  - a. Artists or artisans workshop or studio, subject to: Sec. 3.5.9.2.B and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53, rather than approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04; Ord. No. 9967, §2, 7/1/04)
  - b. Feed store, subject to: Sec. 3.5.13.1.B
  - c. Fuel dispensing, subject to: Sec. 3.5.13.1.B

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H. Utilities Use Group, Sec. 6.3.12

1. Distribution System "25", limited to:
  - a. Power substations with an input voltage of one hundred fifteen (115) kilovolts or greater, subject to: Sec. 3.5.11.1.C, .F, .G, and .J and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  - b. Telephone, telegraph, or power substations with an input voltage of less than one hundred fifteen (115) kilovolts, subject to: Sec. 3.5.11.1.B and .H and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  - c. Water pumping and storage facilities operated as part of a system serving two (2) or more properties as a public, private, or community utility, subject to: Sec. 3.5.11.1.D and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

2.2.2.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. Home Occupations are permitted as Secondary Land Uses to Family Dwelling or Mobile Home Dwelling.

1. Home Occupation: General Application, subject to: Sec. 3.5.7.2
2. Home Occupation: Group Dwelling, subject to: Sec. 3.5.7.9.A, .C, and .D

B. The following is permitted as a Secondary Land Use to the Agricultural Use Group.

1. Retail Trade Use Group, 6.3.10
  - a. Food and Beverage Sales as a Secondary Land Use to Crop Production, subject to: Sec. 3.5.9.1.B.2, .C, .D, .E, .F, .G, and .H

C. The following are permitted as Secondary Land Uses to Religious Use.

1. Civic Use Group, Sec. 6.3.4
  - a. Cemetery, subject to: Sec. 3.5.3.1.D
2. Industrial Use Group, Sec. 6.3.6
  - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §1, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

D. The following are permitted as Secondary Land Uses to Travelers' Accommodation, Lodging, subject to: Sec. 3.5.4.17.A, .B, .C, .D, .E, .F.2, and .G, if approved as part of an approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3., for the Permitted Land Use. (Ord. No. 9967, §2, 7/1/04)

1. Commercial Services Use Group, Sec. 6.3.5
    - a. Alcoholic Beverage Service, subject to: Sec. 3.5.4.19.C
    - b. Civic Assembly
    - c. Food Service, subject to: Sec. 3.5.4.6.C
  2. Recreation Use Group, Sec. 6.3.7
    - a. Recreation
- E. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.1.
- F. The following is permitted as a Secondary Land Use to Educational Use.
1. Industrial Use Group, Sec. 6.3.6
    - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §1, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

2.2.2.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

2.2.2.6 Exceptions.

- A. Parcels of less than one hundred eighty thousand (180,000) square feet, recorded prior to December 1, 1985, which conformed to minimum parcel size requirements at the date of recording, shall be deemed to contain an area of one hundred eighty thousand (180,000) square feet.

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**2.2.3      RESERVED.**

**2.2.4      "SR" SUBURBAN RANCH ZONE.**

2.2.4.1      Purpose. This zone provides for very low density, large lot, single-family, residential development and suburban ranch uses. Uses which would adversely affect the open space, agricultural, or natural characteristics of this zone are not permitted.

2.2.4.2      Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A.    Residential Use Group, Sec. 6.3.8

1.    Family Dwelling "C", subject to: Sec. 3.5.7.1.F (Ord. No. 9443, §1, 11/27/00)
2.    Family Dwelling "RCP-1", subject to: Sec. 3.6.1 and Sec. 3.5.7.1.F (Ord. No. 9443, §1, 11/27/00)
3.    Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "C", subject to: Sec. 3.5.7.8.B.1, .C.1, and .D (Ord. No. 9138, §1, 10/5/98)

B.    Agricultural Use Group, Sec. 6.3.3

1.    Animal Production, generally, "5", subject to: Sec. 3.5.2.1.A.1, .B.2, and .C.1
  - a.    Commercial stables "2", subject to: 3.5.2.1.A.2 and .B.2
2.    Crop Production "5", subject to: Sec. 3.5.2.2
3.    General Farming "5", subject to: Sec. 3.5.2.1.A.1, .B.2, and .C.1 and Sec. 3.5.2.2

C.    Civic Use Group, Sec. 6.3.4

1.    Cultural Use "6", subject to: Sec. 3.5.3.2
2.    Educational Use: Elementary and Secondary Schools "5", subject to: Sec. 3.5.3.7 (Ord. No. 9075, §1, 6/15/98)
3.    Protective Service "6", subject to: Sec. 3.5.3.2
4.    Religious Use "6"

D.    Commercial Services Use Group, Sec. 6.3.5

1.    Animal Service "5", subject to: Sec. 3.5.4.1.E
2.    Communications "5", subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
3.    Day Care

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**Sec. 2.2.4.2**

- a. Adult day care "5", subject to: Sec. 3.5.4.25.A
- b. Child care "6", subject to: Sec. 3.5.4.3.A, .B, .C, .D, .E, .F.1, and .G.1
- 4. Travelers' Accommodation, Lodging, "2"
- E. Recreation Use Group, Sec. 6.3.7
  - 1. Golf Course "1", subject to: Sec. 3.5.6.3
  - 2. Neighborhood Recreation "6", subject to: Sec. 3.5.13.2 and Sec. 3.5.13.3

2.2.4.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Civic Use Group, Sec. 6.3.4

- 1. Correctional Use: Supervision Facility "5", subject to: Sec. 3.5.3.4.B.1, .3.b, .4.a, .5.a, .6.a, .10, and .11 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
- 2. Correctional Use: Custodial Facility "5", subject to: Sec. 3.5.3.4.B.1, .3.c, .4.a, .5.a, .6.b, .10, and .11 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
- 3. Correctional Uses: Supervision Facility and Custodial Facility "5", subject to: Being located in separate and distinct adjacent facilities on a campus site, Sec. 3.5.3.4.B.1, .3.d, .4.c, .5.b, .6.b, .9, .10, and .11, and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
- 4. Educational Use: Elementary and Secondary Schools "5", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9075, §1, 6/15/98; Ord. No. 9967, §2, 7/1/04)

B. Commercial Services Use Group, Sec. 6.3.5

- 1. Communications "6", limited to wireless communication towers and antennae, subject to: Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.1, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)
- 2. Day Care "6", subject to: Sec. 3.5.13.5 and approval through a Zoning Examiner Full Notice Procedure, 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  - a. Child care, subject to: Sec. 3.5.4.3.A, .B, .C, .D, .E, .F.3, .G.6, and .H, or
  - b. Child care, subject to: Sec. 3.5.4.3.A, .B, and .I

C. Residential Use Group, Sec. 6.3.8

- 1. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. 3.5.7.4.B, .E, .F, .G, .H, .I, .J, .K, .L, and .N and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

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2. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "6", subject to: Sec. 3.5.7.8.B.1, .C.2, and .D and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53, or (Ord. No. 9138, §1, 10/5/98; Ord. No. 9967, §2, 7/1/04)
3. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "6", subject to: Sec. 3.5.7.8.B.1, .C.4, .D, and .G (except 144,000 square feet minimum site size) and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9138, §1, 10/5/98; Ord. No. 9967, §2, 7/1/04)

D. Utilities Use Group, Sec. 6.3.12

1. Distribution System "6", subject to: Sec. 3.5.11.1.A, .B, .E, .H, .I, and .K and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

2.2.4.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. Home Occupations are permitted as Secondary Land Uses to Family Dwelling.

1. Home Occupation: General Application, subject to: Sec. 3.5.7.2
2. Home Occupation: Day Care, subject to: Sec. 3.5.7.3
3. Home Occupation: Group Dwelling, subject to: Sec. 3.5.7.9.A, .C, and .D
4. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. 3.5.7.4.A, .E, .F, .G, .H, .I, .J, .K, and .L

B. The following are permitted as Secondary Land Uses to Religious Use.

1. Civic Use Group, Sec. 6.3.4
  - a. Cemetery, subject to: Sec. 3.5.3.1.D
2. Industrial Use Group, Sec. 6.3.6
  - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §1, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

C. The following are permitted as Secondary Land Uses to Travelers' Accommodation, Lodging, subject to: Sec. 3.5.4.17.A, .B, .C, .D, .E, .F.1 and .3, and .G.

1. Commercial Services Use Group, Sec. 6.3.5
  - a. Administrative and Professional Office
  - b. Alcoholic Beverage Service, subject to: Sec. 3.5.4.19.C
  - c. Food Service, subject to: Sec. 3.5.4.6.C
  - d. Personal Service



- 2. Recreation Use Group, Sec. 6.3.7
    - a. Recreation
  - 3. Retail Trade Use Group, Sec. 6.3.10
    - a. General Merchandise Sales
  - D. The following are permitted as Secondary Land Uses to Golf Course, subject to: Sec. 3.5.6.1.
    - 1. Commercial Services Use Group, Sec. 6.3.5
      - a. Alcoholic Beverage Service, subject to Sec. 3.5.4.19.C
      - b. Food Service, subject to: Sec. 3.5.4.6.C
      - c. Personal Service
    - 2. Retail Trade Use Group, Sec. 6.3.10
      - a. General Merchandise Sales
  - E. The following is permitted as a Secondary Land Use to Crop Production, subject to: Sec. 3.5.9.1.A, .B.3, .C, .D, and .G.
    - 1. Retail Trade Use Group, Sec. 6.3.10
      - a. Food and Beverage Sales
  - F. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.1.
  - G. The following is permitted as a Secondary Land Use to Educational Use.
    - 1. Industrial Use Group, Sec. 6.3.6
      - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §1, 11/24/03)
- (Ord. No. 8653, §1, 2/26/96)

2.2.4.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

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 "SH" SUBURBAN HOMESTEAD ZONE

---

**2.2.5        RESERVED.**

**2.2.6        "SH" SUBURBAN HOMESTEAD ZONE.**

2.2.6.1    Purpose and Applicability. This zone provides for low density, large lot, single-family, residential development and suburban ranch uses. This zone is solely to provide comparable zoning for annexed areas and is not intended for rezoning.

2.2.6.2    Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A.    Residential Use Group, Sec. 6.3.8

1.    Family Dwelling "E"
2.    Family Dwelling "RCP-3", subject to: Sec. 3.6.1
3.    Mobile Home Dwelling "E"
4.    Mobile Home Dwelling "RCP-3", subject to: Sec. 3.6.1
5.    Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "E", subject to: Sec. 3.5.7.8.B.1, .C.1, and .D (Ord. No. 9138, §1, 10/5/98)

B.    Agricultural Use Group, Sec. 6.3.3

1.    Animal Production, generally, "9", subject to: Sec 3.5.2.1.A.2, .B.2, .B.3, and .C.2
  - a.    Commercial stables "2", subject to: Sec. 3.5.2.1.A.2 and .B.3
2.    Crop Production "9", subject to: Sec. 3.5.2.2
3.    General Farming "9", subject to: Sec. 3.5.2.1.A.2, .B.2, .B.3, and .C.2 and Sec. 3.5.2.2

C.    Civic Use Group, Sec. 6.3.4

1.    Cultural Use "10", subject to: Sec. 3.5.3.2
2.    Educational Use: Elementary and Secondary Schools "9", subject to: Sec. 3.5.3.7 (Ord. No. 9075, §1, 6/15/98)
3.    Protective Service "10", subject to: Sec. 3.5.3.2 and Sec. 3.5.13.6
4.    Religious Use "10"

D.    Commercial Services Use Group, Sec. 6.3.5

1.    Animal Service "5", subject to: Sec. 3.5.4.1.E

2. Communications "10", subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
  3. Day Care "9"
    - a. Adult day care, subject to: Sec. 3.5.4.25.A
    - b. Child care, subject to: Sec. 3.5.4.3.A, .B, .C, .D, .E, .F.1, and .G.2
  4. Travelers' Accommodation, Lodging, "2"
- E. Recreation Use Group, Sec. 6.3.7
1. Golf Course "1", subject to: Sec. 3.5.6.3
  2. Neighborhood Recreation "10", subject to: Sec. 3.5.13.2 and Sec. 3.5.13.3

2.2.6.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Civic Use Group, Sec. 6.3.4

1. Cemetery "8", subject to: Sec. 3.5.3.1.B and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
2. Educational Use: Elementary and Secondary Schools "9", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9075, §1, 6/15/98; Ord. No. 9967, §2, 7/1/04)

B. Commercial Services Use Group, Sec. 6.3.5

1. Communications "9", subject to: Sec. 3.5.4.20.A and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
2. Communications "9", limited to wireless communication towers and antennae, subject to: Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.1, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)
3. Day Care "9", subject to: Sec. 3.5.13.5 and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  - a. Child care, subject to: Sec. 3.5.4.3.A, .B, .C, .D, .E, .F.3, .G.6, and .H, or
  - b. Child care, subject to: Sec. 3.5.4.3.A, .B, and .I
4. Funeral Service, limited to crematorium, "9", subject to: Sec. 3.5.4.22.A and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 8813, §1, 3/3/97)

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---

C. Industrial Use Group, Sec. 6.3.6

1. Motion Picture Industry "21", subject to: Sec. 3.5.5.4, Sec. 3.5.13.3, and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)

D. Residential Use Group, Sec. 6.3.8

1. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. 3.5.7.4.B, .E, .F, .G, .H, .I, .J, .K, .L, and .N and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
2. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "9", subject to: Sec. 3.5.7.8.B.1, .C.2, and .D and approval through Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53, or (Ord. No. 9138, §1, 10/5/98; Ord. No. 9967, §2, 7/1/04)
3. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "9", subject to: Sec. 3.5.7.8.B.1, .C.4, .D, and .G and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9138, §1, 10/5/98; Ord. No. 9967, §2, 7/1/04)

E. Utilities Use Group, Sec. 6.3.12

1. Distribution System "9", subject to: Sec. 3.5.11.1.A, .B, .E, .H, .I, and .K and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

2.2.6.4

Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. Home Occupations are permitted as Secondary Land Uses to Family Dwelling or Mobile Home Dwelling.

1. Home Occupation: General Application, subject to: Sec. 3.5.7.2
2. Home Occupation: Day Care, subject to: Sec. 3.5.7.3
3. Home Occupation: Group Dwelling, subject to: Sec. 3.5.7.9.A, .C, and .D
4. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. 3.5.7.4.A, .E, .F, .G, .H, .I, .J, .K, and .L

B. The following are permitted as Secondary Land Uses to Religious Use.

1. Civic Use Group, Sec. 6.3.4
  - a. Cemetery, subject to: Sec. 3.5.3.1.D
2. Industrial Use Group, Sec. 6.3.6
  - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §1, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

C. The following are permitted as Secondary Land Uses to Travelers' Accommodation, Lodging, subject to: Sec. 3.5.4.17.A, .B, .C, .D, .E, .F.1 and .3, and .G.

1. Commercial Services Use Group, Sec. 6.3.5
    - a. Administrative and Professional Office
    - b. Alcoholic Beverage Service, subject to: Sec. 3.5.4.19.C
    - c. Food Service, subject to: Sec. 3.5.4.6.C
    - d. Personal Service
  2. Recreation Use Group, Sec. 6.3.7
    - a. Recreation
  3. Retail Trade Use Group, Sec. 6.3.10
    - a. General Merchandise Sales
- D. The following are permitted as Secondary Land Uses to Golf Course, subject to: Sec. 3.5.6.1.
1. Commercial Services Use Group, Sec. 6.3.5
    - a. Alcoholic Beverage Service, subject to: Sec. 3.5.4.19.C
    - b. Food Service, subject to: Sec. 3.5.4.6.C
    - c. Personal Service
  2. Retail Trade Use Group, Sec. 6.3.10
    - a. General Merchandise Sales
- E. The following is permitted as a Secondary Land Use to Crop Production, subject to: Sec. 3.5.9.1.A, .B.3, .C, .D, and .G.
1. Retail Trade Use Group, Sec. 6.3.10
    - a. Food and Beverage Sales
- F. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.1.
- G. The following is permitted as a Secondary Land Use to Educational Use.
1. Industrial Use Group, Sec. 6.3.6
    - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §1, 11/24/03)
- (Ord. No. 8653, §1, 2/26/96)
- 2.2.6.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

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**DIVISION 3. URBAN RESIDENTIAL ZONES**

**SECTIONS:**

- 2.3.1        RESERVED**
  - 2.3.2        "RX-1" RESIDENCE ZONE**
  - 2.3.3        "RX-2" RESIDENCE ZONE**
  - 2.3.4        "R-1" RESIDENCE ZONE**
  - 2.3.5        "R-2" RESIDENCE ZONE**
  - 2.3.6        "R-3" RESIDENCE ZONE**
  - 2.3.7        "MH-1" MOBILE HOME ZONE**
  - 2.3.8        "MH-2" MOBILE HOME ZONE**
- 

**2.3.1        RESERVED.**

**2.3.2        "RX-1" RESIDENCE ZONE.**

2.3.2.1        Purpose. This zone provides for suburban, low density, single-family, residential development and other compatible neighborhood uses.

2.3.2.2        Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A.    Residential Use Group, Sec. 6.3.8

1.    Family Dwelling "D", subject to: Sec. 3.5.7.1.F (Ord. No. 9443, §1, 11/27/00)
2.    Family Dwelling "RCP-2", subject to: Sec. 3.6.1 and Sec. 3.5.7.1.F (Ord. No. 9443, §1, 11/27/00)
3.    Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "D", subject to: Sec. 3.5.7.8.B.1, .C.1, and .D (Ord. No. 9138, §1, 10/5/98)

B.    Agricultural Use Group, Sec. 6.3.3

1.    Animal Production "9", subject to: Sec. 3.5.2.1.A.1, .B.1, .B.2, and .C.1
2.    Crop Production "9", subject to: Sec. 3.5.2.2
3.    General Farming "9", subject to: Sec. 3.5.2.1.A.1, .B.1, .B.2, and .C.1 and Sec. 3.5.2.2

C.    Civic Use Group, Sec. 6.3.4

1.    Cultural Use "9", subject to: Sec. 3.5.3.2
2.    Educational Use: Elementary and Secondary Schools "9", subject to: Sec. 3.5.3.7 (Ord. No. 9075, §1, 6/15/98)

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3. Protective Service "9", subject to: Sec. 3.5.3.2 and Sec. 3.5.13.6

4. Religious Use "9"

D. Commercial Services Use Group, Sec. 6.3.5

1. Communications "9", subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)

2. Day Care "9"

a. Adult day care, subject to: Sec. 3.5.4.25.A

b. Child care, subject to: Sec. 3.5.4.3.A, .B, .C, .D, .E, .F.1, and .G.2

3. Travelers' Accommodation, Lodging, "3"

E. Recreation Use Group, Sec. 6.3.7

1. Golf Course "1", subject to: Sec. 3.5.6.3

2. Neighborhood Recreation "9", subject to: Sec. 3.5.13.2 and Sec. 3.5.13.3

2.3.2.3

Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Commercial Services Use Group, Sec. 6.3.5

1. Communications "9", limited to wireless communication towers and antennae, subject to: Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.1, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)

2. Day Care "9", subject to: Sec. 3.5.13.5 and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

a. Child care, subject to: Sec. 3.5.4.3.A, .B, .C, .D, .E, .F.3, .G.6, and .H, or

b. Child care, subject to: Sec. 3.5.4.3.A, .B, .H, and .I

B. Residential Use Group, Sec. 6.3.8

1. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. 3.5.7.4.B, .E, .F, .G, .H, .I, .J, .K, .L, and .N and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

2. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "9", subject to: Sec. 3.5.7.8.B.1, .C.2, and .D and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53, or (Ord. No. 9138, §1, 10/5/98; Ord. No. 9967, §2, 7/1/04)



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**Sec. 2.3.2.3**

3. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "9", subject to: Sec. 3.5.7.8.B.1, .C.4, .D, and .G and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9138, §1, 10/5/98; Ord. No. 9967, §2, 7/1/04)

C. Utilities Use Group, Sec. 6.3.12

1. Distribution System "9", subject to: Sec. 3.5.11.1.A, .B, .E, .H, .I, and .K and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

D. Civic Use Group, Sec. 6.3.4

1. Educational Use: Elementary and Secondary Schools "9", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9075, §1, 6/15/98)

2.3.2.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. Home Occupations are permitted as Secondary Land Uses to Family Dwelling.

1. Home Occupation: General Application, subject to: Sec. 3.5.7.2
2. Home Occupation: Day Care, subject to: Sec. 3.5.7.3
3. Home Occupation: Group Dwelling, subject to: Sec. 3.5.7.9.A, .C, and .D
4. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. 3.5.7.4.A, .E, .F, .G, .H, .I, .J, .K, and .L

B. The following are permitted as Secondary Land Uses to Religious Use.

1. Civic Use Group, Sec. 6.3.4
  - a. Cemetery, subject to: Sec. 3.5.3.1.D
2. Industrial Use Group, Sec. 6.3.6
  - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §2, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

C. The following are permitted as Secondary Land Uses to Travelers' Accommodation, Lodging, subject to: Sec. 3.5.4.17.A, .B, .C, .D, .E, .F.1 and .3, and .G.

1. Commercial Services Use Group, Sec. 6.3.5
  - a. Administrative and Professional Office
  - b. Alcoholic Beverage Service, subject to: Sec. 3.5.4.19.C

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- c. Food Service, subject to: Sec. 3.5.4.6.C
      - d. Personal Service
    - 2. Recreation Use Group, Sec. 6.3.7
      - a. Recreation
    - 3. Retail Trade Use Group, Sec. 6.3.10
      - a. General Merchandise Sales
  - D. The following are permitted as Secondary Land Uses to Golf Course, subject to: Sec. 3.5.6.1.
    - 1. Commercial Services Use Group, Sec. 6.3.5
      - a. Alcoholic Beverage Service, subject to: Sec. 3.5.4.19.C
      - b. Food Service, subject to: Sec. 3.5.4.6.C
      - c. Personal Service
    - 2. Retail Trade Use Group, Sec. 6.3.10
      - a. General Merchandise Sales
  - E. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.1.
  - F. The following is permitted as a Secondary Land Use to Educational Use.
    - 1. Industrial Use Group, Sec. 6.3.6
      - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §2, 11/24/03)
- (Ord. No. 8653, §1, 2/26/96)
- 2.3.2.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

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---

**Sec. 2.3.3**

**2.3.3 "RX-2" RESIDENCE ZONE.**

2.3.3.1 Purpose. This zone provides for suburban, low density, single-family, residential development and other compatible neighborhood uses.

2.3.3.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Residential Use Group, Sec. 6.3.8

1. Family Dwelling "F", subject to: Sec. 3.5.7.1.F (Ord. No. 9443, §1, 11/27/00)
2. Family Dwelling "RCP-3", subject to: Sec. 3.6.1 and Sec. 3.5.7.1.F (Ord. No. 9443, §1, 11/27/00)
3. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "F", subject to: Sec. 3.5.7.8.B.1, .C.1, and .D (Ord. No. 9138, §1, 10/5/98)

B. Agricultural Use Group, Sec. 6.3.3

1. Crop Production "14", subject to: Sec. 3.5.2.2

C. Civic Use Group, Sec. 6.3.4

1. Cultural Use "13", subject to: Sec. 3.5.3.2
2. Educational Use: Elementary and Secondary Schools "11", subject to: Sec. 3.5.3.7 (Ord. No. 9075, §1, 6/15/98)
3. Protective Service "13", subject to: Sec. 3.5.3.2 and Sec. 3.5.13.6
4. Religious Use "13"

D. Commercial Services Use Group, Sec. 6.3.5

1. Communications "13", subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
2. Day Care "13"
  - a. Adult day care, subject to: Sec. 3.5.4.25.A
  - b. Child care, subject to: Sec. 3.5.4.3.A, .B, .C, .D, .E, .F.1, and .G.3

E. Recreation Use Group, Sec. 6.3.7

1. Golf Course "1", subject to: Sec. 3.5.6.3
2. Neighborhood Recreation "13", subject to: Sec. 3.5.13.2 and Sec. 3.5.13.3

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2.3.3.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Commercial Services Use Group, Sec. 6.3.5

1. Communications, "13", limited to wireless communication towers and antennae, subject to: Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.1, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)
2. Day Care "13", subject to: Sec. 3.5.13.5 and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)
  - a. Child care, subject to: Sec. 3.5.4.3.A, .B, .C, .D, .E, .F.3, .G.6, and .H, or
  - b. Child care, subject to: Sec. 3.5.4.3.A, .B, .H, and .I

B. Residential Use Group, Sec. 6.3.8

1. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. 3.5.7.4.B, .E, .F, .G, .H, .I, .J, .K, .L, and .N and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)
2. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "13", subject to: Sec. 3.5.7.8.B.1, .C.2, and .D and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53, or (Ord. No. 9138, §1, 10/5/98; Ord. No. 9967, §2, 7/1/04)
3. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "13", subject to: Sec. 3.5.7.8.B.1, .C.4, .D, and .G and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9138, §1, 10/5/98; Ord. No. 9967, §2, 7/1/04)

C. Utilities Use Group, Sec. 6.3.12

1. Distribution System "13", subject to: Sec. 3.5.11.1.A, .B, .E, .H, .I, and .K and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

D. Civic Use Group, Sec. 6.3.4

1. Educational Use: Elementary and Secondary Schools "11", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9075, §1, 6/15/98)

2.3.3.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. Home Occupations are permitted as Secondary Land Uses to Family Dwelling.

1. Home Occupation: General Application, subject to: Sec. 3.5.7.2

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**Sec. 2.3.3.4**

2. Home Occupation: Day Care, subject to: Sec. 3.5.7.3
  3. Home Occupation: Group Dwelling, subject to: Sec. 3.5.7.9.A, .C, and .D
  4. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. 3.5.7.4.A, .E, .F, .G, .H, .I, .J, .K, and .L
- B. The following are permitted as Secondary Land Uses to Religious Use.
1. Civic Use Group, Sec. 6.3.4
    - a. Cemetery, subject to: Sec. 3.5.3.1.D
  2. Industrial Use Group, Sec. 6.3.6
    - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §2, 11/24/03)
- (Ord. No. 8653, §1, 2/26/96)
- C. Repealed. (Ord. No. 8808, §1, 1/27/97)
- D. The following are permitted as Secondary Land Uses to Golf Course, subject to: Sec. 3.5.6.1.
1. Commercial Services Use Group, Sec. 6.3.5
    - a. Alcoholic Beverage Service, subject to: Sec. 3.5.4.19.C
    - b. Food Service, subject to: Sec. 3.5.4.6.C
    - c. Personal Service
  2. Retail Trade Use Group, Sec. 6.3.10
    - a. General Merchandise Sales
- E. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.1.
- F. The following is permitted as a Secondary Land Use to Educational Use.
1. Industrial Use Group, Sec. 6.3.6
    - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §2, 11/24/03)
- (Ord. No. 8653, §1, 2/26/96)

2.3.3.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

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 "R-1" RESIDENCE ZONE

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**2.3.4 "R-1" RESIDENCE ZONE.**

2.3.4.1 Purpose. This zone provides for urban, low density, single-family, residential development, together with schools, parks, and other public services necessary for a satisfactory urban residential environment.

2.3.4.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed after each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Residential Use Group, Sec. 6.3.8

1. Family Dwelling "G", subject to: Sec. 3.5.7.1.E, .F, .G, and .H (Ord. No. 8582, §1, 9/25/95; Ord. No. 9443, §1, 11/27/00; Ord. No. 9906, §1, 10/13/03)
2. Family Dwelling "H", subject to: Sec. 3.5.7.1
3. Family Dwelling "RCP-4", subject to: Sec. 3.6.1 and Sec. 3.5.7.1.E and .F (Ord. No. 9138, §1, 10/5/98; Ord. No. 9443, §1, 11/27/00)
4. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "G", subject to: Sec. 3.5.7.8.B.1, .C.1, and .D (Ord. No. 9138, §1, 10/5/98)

B. Agricultural Use Group, Sec. 6.3.3

1. Crop Production "17", subject to: Sec. 3.5.2.2

C. Civic Use Group, Sec. 6.3.4

1. Cultural Use "12", subject to: Sec. 3.5.3.2
2. Educational Use: Elementary and Secondary Schools "11", subject to: Sec. 3.5.3.7 (Ord. No. 9075, §1, 6/15/98)
3. Protective Service "12", subject to: Sec. 3.5.3.2 and Sec. 3.5.13.6
4. Religious Use "12"

D. Commercial Services Use Group, Sec. 6.3.5

1. Communications "17", subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
2. Day Care "17"
  - a. Adult day care, subject to: Sec. 3.5.4.25.A
  - b. Child care, subject to: Sec. 3.5.4.3.A, .B, .C, .D, .E, .F.1, and .G.4

E. Recreation Use Group, Sec. 6.3.7

1. Neighborhood Recreation "12", subject to: Sec. 3.5.13.2 and Sec. 3.5.13.3

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**Sec. 2.3.4.3**

2.3.4.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Commercial Services Use Group, Sec. 6.3.5

1. Communications "17", limited to wireless communication towers and antennae, subject to: Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.1, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)
2. Day Care "17", subject to: Sec. 3.5.13.5 and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)
  - a. Child care, subject to: Sec. 3.5.4.3.A, .B, .C, .D, .E, .F.3, .G.6, and .H, or
  - b. Child care, subject to: Sec. 3.5.4.3.A, .B, .H, and .I

B. Residential Use Group, Sec. 6.3.8

1. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. 3.5.7.4.B, .E, .F, .G, .H, .I, .J, .K, .L, .M, and .N and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)
2. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "17", subject to: Sec. 3.5.7.8.B.1, .C.2, and .D and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53, or (Ord. No. 9138, §1, 10/5/98; Ord. No. 9967, §2, 7/1/04)
3. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "17", subject to: Sec. 3.5.7.8.B.1, .C.4, .D, and .H and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9138, §1, 10/5/98; (Ord. No. 9967, §2, 7/1/04)

C. Utilities Use Group, Sec. 6.3.12

1. Distribution System "17", subject to: Sec. 3.5.11.1.A, .B, .E, .H, .I, and .K and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

D. Civic Use Group, Sec. 6.3.4

1. Educational Use: Elementary and Secondary Schools "11", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)
2. Cultural Use "12", subject to: Sec. 3.5.3.5.B, .C, .D, .E, .F, .G, and .H and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9336, §1, 12/13/99; Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9075, §1, 6/15/98)

2.3.4.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

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A. Home Occupations are permitted as Secondary Land Uses to Family Dwelling.

1. Home Occupation: General Application, subject to: Sec. 3.5.7.2
2. Home Occupation: Day Care, subject to: Sec. 3.5.7.3
3. Home Occupation: Group Dwelling, subject to: Sec. 3.5.7.9.A, .C, and .D
4. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. 3.5.7.4.A, .E, .F, .G, .H, .I, .J, .K, and .L

B. The following are permitted as Secondary Land Uses to Religious Use.

1. Civic Use Group, Sec. 6.3.4
  - a. Cemetery, subject to: Sec. 3.5.3.1.D
2. Industrial Use Group, Sec. 6.3.6
  - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §2, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

C. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.1.

D. The following is permitted as a Secondary Land Use to Educational Use.

1. Industrial Use Group, Sec. 6.3.6
  - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §2, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

E. The following may be permitted as Secondary Land Uses to Cultural Use.

1. Commercial Services Use Group, Sec. 6.3.5
  - a. Food Service, subject to: Sec. 3.5.4.6.A and .C and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
  - b. Alcoholic Beverage Service, subject to: Sec. 3.5.4.19.C, Sec. 3.5.4.7.D and .J, and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
  - c. Entertainment, subject to: Sec. 3.5.4.4.F and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
2. Retail Trade Use Group, Sec. 6.3.10
  - a. General Merchandise Sales, subject to: Sec. 3.5.9.2.A and .B

(Ord. No. 9336, §1, 12/13/99)

2.3.4.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.



**2.3.5 "R-2" RESIDENCE ZONE.**

2.3.5.1 Purpose. This zone provides for medium density, single-family and multifamily, residential development, together with schools, parks, and other public services necessary for an urban residential environment.

2.3.5.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Residential Use Group, Sec. 6.3.8

1. Family Dwelling "I", subject to: Sec. 3.5.7.1.F (Ord. No. 9443, §1, 11/27/00)
2. Family Dwelling "K", subject to: Sec. 3.5.7.1.F (Ord. No. 9443, §1, 11/27/00)
3. Family Dwelling "RCP-6", subject to: Sec. 3.6.1 and Sec. 3.5.7.1.F (Ord. No. 9443, §1, 11/27/00)
4. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "I", subject to: Sec. 3.5.7.8.B.1, .C.1, and .D (Ord. No. 9138, §1, 10/5/98)
5. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "41", subject to: Sec. 3.5.7.8.B.1, .C.4, .D, and .G (Ord. No. 9138, §1, 10/5/98)
6. Residential Care Services: Rehabilitation Service - children's facilities "41", subject to: Sec. 3.5.7.8.A, .B.1, .C.1, and .D
7. Residential Care Services: Shelter Care - victims of domestic violence "41", subject to: Sec. 3.5.7.8.A, .B.1, .C.1, .D, and .I

B. Agricultural Use Group, Sec. 6.3.3

1. Crop Production "41", subject to: Sec. 3.5.2.2

C. Civic Use Group, Sec. 6.3.4

1. Cemetery "41", subject to: Sec. 3.5.3.1.A
2. Cultural Use "12", subject to: Sec. 3.5.3.2
3. Educational Use: Elementary and Secondary Schools "11", subject to: Sec. 3.5.3.7 (Ord. No. 9075, §1, 6/15/98)
4. Postal Service "12", subject to: Sec. 3.5.3.2
5. Protective Service "12", subject to: Sec. 3.5.3.2 and Sec. 3.5.13.6
6. Religious Use "12"

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D. Commercial Services Use Group, Sec. 6.3.5

1. Administrative and Professional Office "8", subject to: Sec. 3.5.3.2
2. Communications "41", subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
3. Day Care "41"
  - a. Adult day care, subject to: Sec. 3.5.4.25.A
  - b. Child care, subject to: Sec. 3.5.4.3.A, .B, .C, .D, .E, .F.1, and .G.4 (Ord. No. 8808, §1, 1/27/97)

E. Recreation Use Group, Sec. 6.3.7

1. Neighborhood Recreation "12", subject to: Sec. 3.5.13.2 and Sec. 3.5.13.3

2.3.5.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Commercial Services Use Group, Sec. 6.3.5

1. Communications "41", limited to wireless communication towers and antennae, subject to: Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.1, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)
2. Day Care "41", subject to: Sec. 3.5.13.5 and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)
  - a. Child care, subject to: Sec. 3.5.4.3.A, .B, .C, .D, .E, .F.3, .G.6, and .H, or
  - b. Child care, subject to: Sec. 3.5.4.3.A, .B, .H, and .I
3. Medical Service "19", subject to: Sec. 3.5.4.8.B, Sec. 3.5.4.9.A, .B.1, .C, and .D, and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

B. Residential Use Group, Sec. 6.3.8

1. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. 3.5.7.4.C, .E, .F, .G, .H, .I, .J, .K, .L, .M, and .N and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)
2. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "41", subject to: Sec. 3.5.7.8.B.1, .C.2, and .D and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9138, §1, 10/5/98; Ord. No. 9967, §2, 7/1/04)
3. Residential Care Services: Rehabilitation Service or Shelter Care "41", subject to: Sec. 3.5.7.8.A, .B.1, .C.2, .D, and .I and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53, or (Ord. No. 9967, §2, 7/1/04)

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4. Residential Care Services: Rehabilitation Service or Shelter Care "41", subject to: Sec. 3.5.7.8.A, .B.1, .C.4, .D, and .H and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

C. Utilities Use Group, Sec. 6.3.12

1. Distribution System "41", subject to: Sec. 3.5.11.1.A, .B, .E, .H, .I, and .K and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

D. Civic Use Group, Sec. 6.3.4

1. Educational Use: Elementary and Secondary Schools "11", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)
2. Cultural Use "12", subject to: Sec. 3.5.3.5.B, .C, .D, .E, .F, .G, and .H and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. Ord. No. 9336, §1, 12/13/99; Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9075, §1, 6/15/98)

2.3.5.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. Home Occupations are permitted as Secondary Land Uses to Family Dwelling.

1. Home Occupation: General Application, subject to: Sec. 3.5.7.2
2. Home Occupation: Day Care, subject to: Sec. 3.5.7.3
3. Home Occupation: Group Dwelling, subject to: Sec. 3.5.7.9.B, .C, and .D
4. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. 3.5.7.4.B, .E, .F, .G, .H, .I, .J, .K, and .L

B. The following are permitted as Secondary Land Uses to Religious Use.

1. Civic Use Group, Sec. 6.3.4
  - a. Cemetery, subject to: Sec. 3.5.3.1.D
2. Industrial Use Group, Sec. 6.3.6
  - a. Salvaging and Recycling, subject to: Sec 3.5.5.6.A and .C (Ord. No. 9915, §2, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

C. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.1.

D. The following is permitted as a Secondary Land Use to Educational Use.

1. Industrial Use Group, Sec. 6.3.6

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- a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §2, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

E. The following may be permitted as Secondary Land Uses to Cultural Use.

1. Commercial Services Use Group, Sec. 6.3.5

- a. Food Service, subject to: Sec. 3.5.4.6.A and .C and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
- b. Alcoholic Beverage Service, subject to: Sec. 3.5.4.19.C, Sec. 3.5.4.7.D and .J, and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
- c. Entertainment, subject to: Sec. 3.5.4.4.F and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)

2. Retail Trade Use Group, Sec. 6.3.10

- a. General Merchandise Sales, subject to: Sec. 3.5.9.2.A and .B

(Ord. No. 9336, §1, 12/13/99)

2.3.5.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

**2.3.6 "R-3" RESIDENCE ZONE.**

2.3.6.1 Purpose. This zone provides for high density, residential development and compatible uses.

2.3.6.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Residential Use Group, Sec. 6.3.8

1. Family Dwelling "I", subject to: Sec. 3.5.7.1.F (Ord. No. 9077, §1, 6/22/98; Ord. No. 9443, §1, 11/27/00)
2. Family Dwelling "P", subject to: Sec. 3.5.7.1.F (Ord. No. 9443, §1, 11/27/00)
3. Family Dwelling "RCP-7", subject to: Sec. 3.6.1 and Sec. 3.5.7.1.F (Ord. No. 9443, §1, 11/27/00)
4. Group Dwelling "30", subject to: Sec. 3.5.7.1.F (Ord. No. 9443, §1, 11/27/00)
5. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "P", subject to: Sec. 3.5.7.8.C.1 and .D
6. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "30", subject to: Sec. 3.5.7.8.C.4, .D, and .H (except no minimum lot size)
7. Residential Care Services: Rehabilitation Service - children's facilities "18", subject to: Sec. 3.5.7.8.A, .B.2, .C.1, and .D
8. Residential Care Services: Shelter Care - victims of domestic violence "18", subject to: Sec. 3.5.7.8.A, .B.2, .C.3, .D, and .I

(Ord. No. 9077, §1, 6/22/98)

B. Agricultural Use Group, Sec. 6.3.3

1. Crop Production "30", subject to: Sec. 3.5.2.2

C. Civic Use Group, Sec. 6.3.4

1. Cemetery "30", subject to: Sec. 3.5.3.1.A
2. Civic Assembly "18", subject to: Sec. 3.5.3.2
3. Cultural Use "18", subject to: Sec. 3.5.3.2
4. Educational Use: Elementary and Secondary Schools "11", subject to: Sec. 3.5.3.7 (Ord. No. 9075, §1, 6/15/98)
5. Postal Service "18", subject to: Sec. 3.5.3.2
6. Protective Service "18", subject to: Sec. 3.5.3.2 and Sec. 3.5.13.6

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7. Religious Use "18"

D. Commercial Services Use Group, Sec. 6.3.5

1. Administrative and Professional Office "7", subject to: Sec. 3.5.3.2
2. Communications "30", subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
3. Day Care
  - a. Adult day care "30", subject to: Sec. 3.5.4.25.B
  - b. Child care "18", subject to: Sec. 3.5.4.3.A, .B, .C, .D, .E, .F.2, and .G.5

E. Recreation Use Group, Sec. 6.3.7

1. Neighborhood Recreation "18", subject to: Sec. 3.5.13.2 and Sec. 3.5.13.3

2.3.6.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Residential Use Group, Sec. 6.3.8

1. Residential Care Services: Rehabilitation Service or Shelter Care "18", subject to: Sec. 3.5.7.8.A, .B.2, .C.3, .D, and .I and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04), or
2. Residential Care Services: Rehabilitation Service or Shelter Care "18", subject to: Sec. 3.5.7.8.A, .B.2, .C.4, .D, and .H and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

B. Commercial Services Use Group, Sec. 6.3.5

1. Communications "30", limited to wireless communication towers and antennae, subject to: Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.1, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)
2. Day Care "18", subject to: Sec. 3.5.13.5 and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)
  - a. Child care, subject to: Sec. 3.5.4.3.A, .B, .C, .D, .E, .F.3, .G.7, and .H, or
  - b. Child care, subject to: Sec. 3.5.4.3.A, .B, .H, and .I
3. Medical Service "30", subject to: Sec. 3.5.4.8.B, Sec. 3.5.4.9.A, .B.1, .C, and .D, and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

C. Utilities Use Group, Sec. 6.3.12

1. Distribution System "18", subject to: Sec. 3.5.11.1.A, .B, .E, .H, .I, and .K and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

D. Civic Use Group, Sec. 6.3.4

1. Educational Use: Elementary and Secondary Schools "11", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)
2. Cultural Use "12", subject to: Sec. 3.5.3.5.B, .C, .D, .E, .F, .G, and .H and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9336, §1, 12/13/99; Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9075, §1, 6/15/98)

2.3.6.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. Home Occupations are permitted as Secondary Land Uses to Family Dwelling.

1. Home Occupation: General Application, subject to: Sec. 3.5.7.2
2. Home Occupation: Day Care, subject to: Sec. 3.5.7.3
3. Home Occupation: Group Dwelling, subject to: Sec. 3.5.7.9.C and .D
4. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. 3.5.7.4.D, .E, .F, .G, .H, .I, .J, .K, and .L

B. The following are permitted as Secondary Land Uses to Religious Use.

1. Civic Use Group, Sec. 6.3.4
  - a. Cemetery, subject to: Sec. 3.5.3.1.D
2. Industrial Use Group, Sec. 6.3.6
  - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §2, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

C. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.1.

D. The following is permitted as a Secondary Land Use to Educational Use.

1. Industrial Use Group, Sec. 6.3.6
  - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §2, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

E. The following may be permitted as Secondary Land Uses to Cultural Use.

1. Commercial Services Use Group, Sec. 6.3.5

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- a. Food Service, subject to: Sec. 3.5.4.6.A and .C and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
- b. Alcoholic Beverage Service, subject to: Sec. 3.5.4.19.C, Sec. 3.5.4.7.D and .J, and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
- c. Entertainment, subject to: Sec. 3.5.4.4.F and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)

2. Retail Trade Use Group, Sec. 6.3.10

- a. General Merchandise Sales, subject to: Sec. 3.5.9.2.A and .B

(Ord. No. 9336, §1, 12/13/99)

2.3.6.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.



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"MH-1" MOBILE HOME ZONE

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**Sec. 2.3.7**

**2.3.7 "MH-1" MOBILE HOME ZONE.**

2.3.7.1 Purpose. This zone provides for low to medium density, residential development primarily in mobile home structures on individual lots and within mobile home parks. Civic, educational, recreational, and religious uses are also permitted to provide for an urban residential environment.

2.3.7.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Residential Use Group, Sec. 6.3.8

1. Mobile Home Dwelling "G"
2. Mobile Home Dwelling "M"
3. Mobile Home Dwelling "RCP-4", subject to: Sec. 3.6.1
4. Family Dwelling "G"
5. Family Dwelling "M"
6. Family Dwelling "RCP-4", subject to: Sec. 3.6.1
7. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "G", subject to: Sec. 3.5.7.8.C.1 and .D

B. Agricultural Use Group, Sec. 6.3.3

1. Crop Production "17", subject to: Sec. 3.5.2.2

C. Civic Use Group, Sec. 6.3.4

1. Cultural Use "12", subject to: Sec. 3.5.3.2
2. Educational Use: Elementary and Secondary Schools "11", subject to: Sec. 3.5.3.7 (Ord. No. 9075, §1, 6/15/98)
3. Protective Service "12", subject to: Sec. 3.5.3.2 and Sec. 3.5.13.6
4. Religious Use "12"

D. Commercial Services Use Group, Sec. 6.3.5

1. Communications "17", subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
2. Day Care "17"
  - a. Adult day care, subject to: Sec. 3.5.4.25.A

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E. Recreation Use Group, Sec. 6.3.7

1. Neighborhood Recreation "12", subject to: Sec. 3.5.13.2 and Sec. 3.5.13.3

2.3.7.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Commercial Services Use Group, Sec. 6.3.5

1. Communications "41", limited to wireless communication towers and antennae, subject to: Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.1, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)

B. Residential Use Group, Sec. 6.3.8

1. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "17", subject to: Sec. 3.5.7.8.C.2 and .D and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04), or
2. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "17", subject to: Sec. 3.5.7.8.C.4, .D, and .H and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

C. Utilities Use Group, Sec. 6.3.12

1. Distribution System "17", subject to: Sec. 3.5.11.1.A, .B, .E, .H, .I, and .K and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

D. Civic Use Group, Sec. 6.3.4

1. Educational Use: Elementary and Secondary Schools "11", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9075, §1, 6/15/98)

2.3.7.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. Home Occupations are permitted as Secondary Land Uses to Mobile Home Dwelling or Family Dwelling.

1. Home Occupation: General Application, subject to: Sec. 3.5.7.2
2. Home Occupation: Day Care, subject to: Sec. 3.5.7.3
3. Home Occupation: Group Dwelling, subject to: Sec. 3.5.7.9.A, .C, and .D

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- 4. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. 3.5.7.4.A, .E, .F, .G, .H, .I, .J, .K, and .L
  - B. The following is permitted as a Secondary Land Use to Mobile Home Dwelling in a mobile home park.
    - 1. Commercial Services Use Group, Sec. 6.3.5
      - a. Travelers' Accommodation, Campsite, subject to: Sec. 3.5.7.11
  - C. The following are permitted as Secondary Land Uses to Religious Use.
    - 1. Civic Use Group, Sec. 6.3.4
      - a. Cemetery, subject to: Sec. 3.5.3.1.D
    - 2. Industrial Use Group, Sec. 6.3.6
      - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §2, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)
  - D. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.1.
  - E. The following is permitted as a Secondary Land Use to Educational Use.
    - 1. Industrial Use Group, Sec. 6.3.6
      - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §2, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)
- 2.3.7.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

**2.3.8 "MH-2" MOBILE HOME ZONE.**

2.3.8.1 Purpose. This zone provides for medium density, residential development in mobile home structures on individual lots and within mobile home parks. Civic, educational, recreational, and religious uses are also permitted to provide for an urban residential environment.

2.3.8.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Residential Use Group, Sec. 6.3.8

1. Mobile Home Dwelling "I"
2. Mobile Home Dwelling "K"
3. Mobile Home Dwelling "RCP-5", subject to: Sec. 3.6.1
4. Family Dwelling "I"
5. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "I", subject to: Sec. 3.5.7.8.C.1 and .D

B. Agricultural Use Group, Sec. 6.3.3

1. Crop Production "41", subject to: Sec. 3.5.2.2

C. Civic Use Group, Sec. 6.3.4

1. Cultural Use "12", subject to: Sec. 3.5.3.2
2. Educational Use: Elementary and Secondary Schools "11", subject to: Sec. 3.5.3.7 (Ord. No. 9075, §1, 6/15/98)
3. Protective Service "12", subject to: Sec. 3.5.3.2 and Sec. 3.5.13.6
4. Religious Use "12"

D. Commercial Services Use Group, Sec. 6.3.5

1. Administrative and Professional Office "8", subject to: Sec. 3.5.3.2
2. Communications "41", subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)

E. Recreation Use Group, Sec. 6.3.7

1. Neighborhood Recreation "12", subject to: Sec. 3.5.13.2 and 3.5.13.3

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2.3.8.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Commercial Services Use Group, Sec. 6.3.5

1. Communications "41", limited to wireless communication towers and antennae, subject to: Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.1, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)

B. Utilities Use Group, Sec. 6.3.12

1. Distribution System "41", subject to: Sec. 3.5.11.1.A, .B, .E, .H, .I, and .K and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

C. Civic Use Group, Sec. 6.3.4

1. Educational Use: Elementary and Secondary Schools "11", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9075, §1, 6/15/98)

2.3.8.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. Home Occupations are permitted as Secondary Land Uses to Mobile Home Dwelling or Family Dwelling.

1. Home Occupation: General Application, subject to: Sec. 3.5.7.2
2. Home Occupation: Day Care, subject to: Sec. 3.5.7.3
3. Home Occupation: Group Dwelling, subject to: Sec. 3.5.7.9.B, .C, and .D
4. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. 3.5.7.4.B, .E, .F, .G, .H, .I, .J, .K, and .L

B. The following is permitted as a Secondary Land Use to Mobile Home Dwelling in a mobile home park.

1. Commercial Services Use Group, Sec. 6.3.5
  - a. Travelers' Accommodation, Campsite, subject to: Sec. 3.5.7.11

C. The following are permitted as Secondary Land Uses to Mobile Home Dwelling in a mobile home park of one hundred (100) spaces or more.

1. Commercial Services Use Group, Sec. 6.3.5
  - a. Day Care
    1. Child care, subject to: Sec. 3.5.4.3.A, .B, .C, .D, and .E
  - b. Personal Service, subject to: Sec. 3.5.7.5
  - c. Travelers' Accommodation, Campsite, subject to: Sec. 3.5.4.24
2. Retail Trade Use Group, Sec. 6.3.10, subject to: Sec. 3.5.7.5
  - a. Food and Beverage Sales
  - b. General Merchandise Sales
  - c. Vehicle Rental and Sales, subject to: Sec. 3.5.7.6

D. The following are permitted as Secondary Land Uses to Religious Use.

1. Civic Use Group, Sec. 6.3.4
  - a. Cemetery, subject to: Sec. 3.5.3.1.D
2. Industrial Use Group, Sec. 6.3.6
  - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §2, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

E. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.1.

F. The following is permitted as a Secondary Land Use to Educational Use.

1. Industrial Use Group, Sec. 6.3.6
  - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §2, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

2.3.8.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

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**DIVISION 4. OFFICE ZONES**

**SECTIONS:**

- 2.4.1 "O-1" OFFICE ZONE**
  - 2.4.2 "O-2" OFFICE ZONE**
  - 2.4.3 "O-3" OFFICE ZONE**
- 

**2.4.1 "O-1" OFFICE ZONE.**

2.4.1.1 Purpose. This zone provides for administrative and professional office uses that will complement the residential environment. Development within this zone typically consists of office conversions from existing residential uses fronting on major streets and new construction of small-scale office projects. Consolidation of lots is encouraged in order to reduce curb cuts on arterial streets and to assure compliance with the design and development criteria of this zone.

2.4.1.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Commercial Services Use Group, Sec. 6.3.5

1. Administrative and Professional Office "26", subject to: Sec. 3.5.4.11
2. Communications "26", subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
3. Medical Service - Outpatient "26", subject to: Sec. 3.5.4.8.A and .B, Sec. 3.5.4.9.A, and Sec. 3.5.4.11

B. Residential Use Group, Sec. 6.3.8

1. Family Dwelling "M"
2. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "26", subject to: Sec. 3.5.7.8.C.1 and .D

2.4.1.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Commercial Services Use Group, Sec. 6.3.5

1. Communications "7", limited to wireless communication towers and antennae, subject to: Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.1, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)

## B. Residential Use Group, Sec. 6.3.8

1. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "12", subject to: Sec. 3.5.7.8.C.2 and .D and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
2. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "7", subject to: Sec. 3.5.7.8.C.4, .D, and .H and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

## C. Utilities Use Group, Sec. 6.3.12

1. Distribution System "12", subject to: Sec. 3.5.11.1.A, .E, and .I and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

## D. Civic Use Group, Sec. 6.3.4

1. Cultural Use "12", subject to: Sec. 3.5.3.5.B, .C, .D, .E, .F, .G, and .H and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9336, §1, 12/13/99)

2.4.1.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

## A. Home Occupations are permitted as Secondary Land Uses to Family Dwelling.

1. Home Occupation: General Application, subject to: Sec. 3.5.7.2
2. Home Occupation: Day Care, subject to: Sec. 3.5.7.3
3. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. 3.5.7.4.A, .E, .F, .G, .H, .I, .J, .K, and .L

## B. The following may be permitted as Secondary Land Uses to Cultural Use.

1. Commercial Services Use Group, Sec. 6.3.5
  - a. Food Service, subject to: Sec. 3.5.4.6.A and .C and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9967, §2, 7/1/04)
  - b. Alcoholic Beverage Service, subject to: Sec. 3.5.4.19.C, Sec. 3.5.4.7.D and .J, and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9967, §2, 7/1/04)
  - c. Entertainment, subject to: Sec. 3.5.4.4.F and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9967, §2, 7/1/04)
2. Retail Trade Use Group, Sec. 6.3.10
  - a. General Merchandise Sales, subject to: Sec. 3.5.9.2.A and .B

(Ord. No. 9336, §1, 12/13/99)

## ARTICLE II. ZONES

## DIVISION 4. OFFICE ZONES

## "O-1" OFFICE ZONE

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- 2.4.1.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.
- 2.4.1.6 General Restrictions. The following restrictions apply to all uses and development in this zone.
- A. Drive-through services are not permitted.
  - B. All land use activities, except vehicular use areas, shall be conducted entirely within an enclosed building unless specifically provided otherwise. All nonresidential land uses shall comply with the Performance Criteria in Sec. 3.5.13.2, Sec. 3.5.13.3, and Sec. 3.5.13.4. (Ord. No. 8808, §1, 1/27/97)

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**2.4.2 "O-2" OFFICE ZONE.**

2.4.2.1 Purpose. This zone provides for office, medical, civic, and other land uses which provide reasonable compatibility with adjoining residential uses. Typical development within this zone is two-story office or medical projects.

2.4.2.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Commercial Services Use Group, Sec. 6.3.5

1. Administrative and Professional Office "27"
2. Communications "27", subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
3. Day Care, subject to: Sec. 3.5.13.5
  - a. Adult day care "27"
  - b. Child care "15", subject to: Sec. 3.5.4.3.A, .B, .C, .D, .E, .F.1, and .G.4
4. Medical Service - Extended Health Care "27", subject to: Sec. 3.5.13.5 (Ord. No. 9138, §1, 10/5/98)
5. Medical Service - Major "27", subject to: Sec. 3.5.4.9.A
6. Medical Service - Outpatient "27", subject to: Sec. 3.5.4.8.A and .B and Sec. 3.5.4.9.A  
(Ord. No. 9138, §1, 10/5/98)

B. Civic Use Group, Sec. 6.3.4

1. Civic Assembly "11"
2. Cultural Use "11", subject to: Sec. 3.5.3.2
3. Educational Use: Elementary and Secondary Schools "11", subject to: Sec. 3.5.3.7 and Sec. 3.5.13.5 (Ord. No. 9075, §1, 6/15/98)
4. Educational Use: Postsecondary Institution "11", subject to: Sec. 3.5.3.3 and Sec. 3.5.13.5
5. Postal Service "27", subject to: Sec. 3.5.3.2
6. Protective Service "27", subject to: Sec. 3.5.3.2
7. Religious Use "11"

C. Recreation Use Group, Sec. 6.3.7

1. Neighborhood Recreation "27", subject to: Sec. 3.5.13.5

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D. Residential Use Group, Sec. 6.3.8

1. Family Dwelling "N"
2. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "27", subject to: Sec. 3.5.7.8.C.1 and .D
3. Residential Care Services: Rehabilitation Service - children's facilities "27", subject to: Sec. 3.5.7.8.A, .B.2, .C.1, and .D
4. Residential Care Services: Shelter Care - victims of domestic violence "27", subject to: Sec. 3.5.7.8.A, .B.2, .C.2, .D, and .G

2.4.2.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Commercial Services Use Group, Sec. 6.3.5

1. Communications "11", limited to wireless communication towers and antennae, subject to: Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.1, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)
2. Day Care, subject to: Sec. 3.5.13.5 and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  - a. Child care "15", subject to: Sec. 3.5.4.3.A, .B, .C, .D, .E, .F.1, .G.4, and .H
  - b. Child care "20", subject to: Sec. 3.5.4.3.A, .B, and .I

B. Residential Use Group, Sec. 6.3.8

1. Residential Care Services: Rehabilitation Service or Shelter Care "12", subject to: Sec. 3.5.7.8.A, .B.2, .C.2, .D, and .I and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
2. Residential Care Services: Rehabilitation Service or Shelter Care "7", subject to: Sec. 3.5.7.8.A, .B.2, .C.4, .D, and .H and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

C. Utilities Use Group, Sec. 6.3.12

1. Distribution System "27", subject to: Sec. 3.5.11.1.A, .E, and .I and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

D. Civic Use Group, Sec. 6.3.4

1. Educational Use: Elementary and Secondary Schools "11", subject to: Sec. 3.5.13.5 and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

2. Cultural Use "12", subject to: Sec. 3.5.3.5.B, .C, .D, .E, .F, .G, and .H and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9336, §1, 12/13/99; Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9075, §1, 6/15/98)

2.4.2.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. Home Occupations are permitted as Secondary Land Uses to Family Dwelling.

1. Home Occupation: General Application, subject to: Sec. 3.5.7.2
2. Home Occupation: Day Care, subject to: Sec. 3.5.7.3
3. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. 3.5.7.4.A, .E, .F, .G, .H, .I, .J, .K, and .L

B. The following are permitted as Secondary Land Uses to Medical Service - Major, subject to: Sec. 3.5.4.10.

1. Commercial Services Use Group, Sec. 6.3.5
  - a. Food Service
  - b. Personal Service
2. Retail Trade Use Group, Sec. 6.3.10
  - a. General Merchandise Sales

C. The following are permitted as Secondary Land Uses to Religious Use.

1. Civic Use Group, Sec. 6.3.4
  - a. Cemetery, subject to: Sec. 3.5.3.1.D
2. Industrial Use Group, Sec. 6.3.6
  - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §3, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

D. The following is permitted as a Secondary Land Use to Educational Use.

1. Industrial Use Group, Sec. 6.3.6
  - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §3, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

E. The following may be permitted as Secondary Land Uses to Cultural Use.

1. Commercial Services Use Group, Sec. 6.3.5

- a. Food Service, subject to: Sec. 3.5.4.6.A and .C and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9967, §2, 7/1/04)
- b. Alcoholic Beverage Service, subject to: Sec. 3.5.4.19.C, Sec. 3.5.4.7.D and .J, and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9967, §2, 7/1/04)
- c. Entertainment, subject to: Sec. 3.5.4.4.F and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9967, §2, 7/1/04)

2. Retail Trade Use Group, Sec. 6.3.10

- a. General Merchandise Sales, subject to: Sec. 3.5.9.2.A and .B

(Ord. No. 9336, §1, 12/13/99)

2.4.2.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

2.4.2.6 General Restrictions. The following restrictions apply to all uses and development in this zone.

- A. Drive-through services are not permitted.
- B. All land use activities, except vehicular use areas, shall be conducted entirely within an enclosed building unless specifically provided otherwise. All nonresidential land uses shall comply with the Performance Criteria in Sec. 3.5.13.1.B, Sec. 3.5.13.2, Sec. 3.5.13.3, and Sec. 3.5.13.4. (Ord. No. 8808, §1, 1/27/97)



**2.4.3 "O-3" OFFICE ZONE.**

2.4.3.1 Purpose. This zone provides for mid-rise office development and other land uses which provide reasonable compatibility with adjoining residential uses.

2.4.3.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Commercial Services Use Group, Sec. 6.3.5

1. Administrative and Professional Office "30"
2. Communications "30", subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
3. Day Care, subject to: Sec. 3.5.13.5
  - a. Adult day care "30"
  - b. Child care "16", subject to: Sec. 3.5.4.3.A, .B, .C, .D, .F.1, and .G.5, or
  - c. Child care "16", subject to: Sec. 3.5.4.3.A, .B, .C, .D, .E, .F.2, and .G.7
4. Medical Service - Extended Health Care "30", subject to: Sec. 3.5.13.5 (Ord. No. 9138, §1, 10/5/98)
5. Medical Service - Major "30", subject to: Sec. 3.5.4.9.A
6. Medical Service - Outpatient "30", subject to: Sec. 3.5.4.8.B
7. Research and Product Development "27", subject to: Sec. 3.5.4.14  
(Ord. No. 9138, §1, 10/5/98)

B. Civic Use Group, Sec. 6.3.4

1. Cemetery "3", subject to: Sec. 3.5.3.1.A and Sec. 3.5.13.5
2. Civic Assembly "18"
3. Cultural Use "18", subject to: Sec. 3.5.3.2
4. Educational Use: Elementary and Secondary Schools "18", subject to: Sec. 3.5.3.7 and Sec. 3.5.13.5 (Ord. No. 9075, §1, 6/15/98)
5. Educational Use: Postsecondary Institution "18", subject to: Sec. 3.5.3.3 and Sec. 3.5.13.5
6. Postal Service "18", subject to: Sec. 3.5.3.2
7. Protective Service "18", subject to: Sec. 3.5.3.2

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8. Religious Use "18"

C. Recreation Use Group, Sec. 6.3.7

1. Neighborhood Recreation "18", subject to: Sec. 3.5.13.5

D. Residential Use Group, Sec. 6.3.8

1. Family Dwelling "L"

2. Family Dwelling "RCP-8", subject to: Sec. 3.6.1

3. Family Dwelling within the Rio Nuevo and Downtown Zone "J" (Ord. No. 9780, §1, 10/14/02)

4. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "30", subject to: Sec. 3.5.7.8.C.1 and .D (Ord. No. 9138, §1, 10/5/98)

5. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "30", subject to: Sec. 3.5.7.8.C.4, .D, and .H

6. Residential Care Services: Rehabilitation Service - children's facilities "30", subject to: Sec. 3.5.7.8.A, .C.1, and .D

7. Residential Care Services: Shelter Care - victims of domestic violence "30", subject to: Sec. 3.5.7.8.A, .C.3, and .D

8. Residential Care Services: Rehabilitation Service or Shelter Care "30", subject to: Sec. 3.5.7.8.A, .C.4, .D, .F, and .H

(Ord. No. 9138, §1, 10/5/98; Ord. No. 9780, §1, 10/14/02)

2.4.3.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Commercial Services Use Group, Sec. 6.3.5

1. Communications "7", limited to wireless communication towers and antennae, subject to: Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.1, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)

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2. Day Care, subject to: Sec. 3.5.13.5 and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

- a. Child care "16", subject to: Sec. 3.5.4.3.A, .B, .C, .D, .E, .F.3, .G.7, and .H

- b. Child care "20", subject to: Sec. 3.5.4.3.A, .B, and .I

B. Residential Use Group, Sec. 6.3.8

1. Residential Care Services: Rehabilitation Service or Shelter Care "30", subject to: Sec. 3.5.7.8.A, .C.4, .D, and .H and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

C. Utilities Use Group, Sec. 6.3.12

1. Distribution System "12", subject to: Sec. 3.5.11.1.A, .E, and .I and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

D. Civic Use Group, Sec. 6.3.4

1. Educational Use: Elementary and Secondary Schools "18", subject to: Sec. 3.5.13.5 and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
2. Cultural Use "12", subject to: Sec. 3.5.3.5.B, .C, .D, .E, .F, .G, and .H and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9336, §1, 12/13/99; Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9075, §1, 6/15/98)

2.4.3.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. Home Occupations are permitted as Secondary Land Uses to Family Dwelling.

1. Home Occupation: General Application, subject to: Sec. 3.5.7.2
2. Home Occupation: Day Care, subject to: Sec. 3.5.7.3
3. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. 3.5.7.4.D, .E, .F, .G, .H, .I, .J, .K, and .L

B. The following are permitted as Secondary Land Uses to Medical Service - Major or Medical Service - Outpatient, subject to: Sec. 3.5.4.10.

1. Commercial Services Use Group, Sec. 6.3.5
  - a. Food Service
  - b. Personal Service
2. Retail Trade Use Group, Sec. 6.3.10
  - a. General Merchandise Sales

C. The following are permitted as Secondary Land Uses to Religious Use.

1. Civic Use Group, Sec. 6.3.4

a. Cemetery, subject to: Sec. 3.5.3.1.D

2. Industrial Use Group, Sec. 6.3.6

a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §3, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

D. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.1.

E. The following is permitted as a Secondary Land Use to Educational Use.

1. Industrial Use Group, Sec. 6.3.6

a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §3, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

F. The following may be permitted as Secondary Land Uses to Cultural Use.

1. Commercial Services Use Group, Sec. 6.3.5

a. Food Service, subject to: Sec. 3.5.4.6.A and .C and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9967, §2, 7/1/04)

b. Alcoholic Beverage Service, subject to: Sec. 3.5.4.19.C, Sec. 3.5.4.7.D and .J, and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9967, §2, 7/1/04)

c. Entertainment, subject to: Sec. 3.5.4.4.F and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9967, §2, 7/1/04)

2. Retail Trade Use Group, Sec. 6.3.10

a. General Merchandise Sales, subject to: Sec. 3.5.9.2.A and .B

(Ord. No. 9336, §1, 12/13/99)

2.4.3.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

2.4.3.6 General Restrictions. The following restrictions apply to all uses and development in this zone.

A. Drive-through services are not permitted.

B. All land use activities, except vehicular use areas, shall be conducted entirely within an enclosed building unless specifically provided otherwise.

**DIVISION 5. COMMERCIAL ZONES**

**SECTIONS:**

- 2.5.1 "RVC" RURAL VILLAGE CENTER ZONE**
  - 2.5.2 "NC" NEIGHBORHOOD COMMERCIAL ZONE**
  - 2.5.3 "C-1" COMMERCIAL ZONE**
  - 2.5.4 "C-2" COMMERCIAL ZONE**
  - 2.5.5 "C-3" COMMERCIAL ZONE**
  - 2.5.6 "P" PARKING ZONE**
  - 2.5.7 "RV" RECREATIONAL VEHICLE ZONE**
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**2.5.1 "RVC" RURAL VILLAGE CENTER ZONE.**

2.5.1.1 Purpose. The purpose of this zone is to provide retail shopping facilities, planned and designed for the convenience and necessity of a suburban or rural neighborhood. Rural village centers shall be developed according to an approved development plan and located in accordance with adopted neighborhood, community, or area plans. The regulations are designed to maintain the suburban character of duly designated commercial areas located along Scenic Routes, as designated, and to provide safe ingress and egress to and from the village center. This zone is solely to provide for comparable zoning for areas annexed into the City limits and is not intended for rezoning.

2.5.1.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Commercial Services Use Group, Sec. 6.3.5

1. Administrative and Professional Office "29"
2. Communications "29", subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
3. Day Care "29"
4. Financial Service "29"
5. Food Service "29", subject to: Sec. 3.5.4.6.B and .C and Sec. 3.5.4.7.C
6. Medical Service - Outpatient "29", subject to: Sec. 3.5.4.8.B
7. Personal Service "29", subject to: Sec. 3.5.4.13.A, .B, and .C

B. Retail Trade Use Group, Sec. 6.3.10

1. Food and Beverage Sales "29"
2. General Merchandise Sales "29"

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C. Civic Use Group, Sec. 6.3.4

1. Cultural Use "29", subject to: Sec. 3.5.3.2
2. Postal Service "29", subject to: Sec. 3.5.3.2
3. Protective Service "29", subject to: Sec. 3.5.3.2
4. Religious Use "29"

2.5.1.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Commercial Services Use Group, Sec. 6.3.5

1. Automotive - Minor Service and Repair "29", subject to: Sec. 3.5.4.2.E and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
2. Communications "8", limited to wireless communication towers and antennae, subject to: Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.1, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)
3. Food Service with Alcoholic Beverage Service as a Secondary Land Use "29", subject to: Sec. 3.5.4.7.B, .C, and .D, Sec. 3.5.4.19.C, and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)

B. Utilities Use Group, Sec. 6.3.12

1. Distribution System "12", subject to: Sec. 3.5.11.1.A, .E, and .I and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

C. Retail Trade Use Group, Sec. 6.3.10

1. Food and Beverage Sales - Large Retail Establishment "29", subject to: Sec. 3.5.9.7 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
2. General Merchandise Sales - Large Retail Establishment "29", subject to: Sec. 3.5.9.7 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9293, §1, 9/27/99)

2.5.1.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. The following are permitted as Secondary Land Uses to Religious Use.

1. Civic Use Group, Sec. 6.3.4

a. Cemetery, subject to: Sec. 3.5.3.1.D

2. Industrial Use Group, Sec. 6.3.6

a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §4, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

B. The following is permitted as a Secondary Land Use to all uses in the Commercial Services and Retail Trade Use Groups.

1. Industrial Use Group, Sec. 6.3.6

a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §4, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

2.5.1.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

2.5.1.6 General Restrictions. The following restrictions apply to all uses and development in this zone.

A. Drive-through or drive-in services are not permitted unless specifically provided for the land use.

B. All land use activities except vehicular use areas shall be conducted entirely within an enclosed building unless specifically provided otherwise.

C. The maximum area of each RVC zone shall not exceed twenty (20) acres.

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**2.5.2 "NC" NEIGHBORHOOD COMMERCIAL ZONE.**

- 2.5.2.1 Purpose. This zone provides for low-intensity, small-scale, commercial and office uses that are compatible in size and design with adjacent residential uses. Residential and other related uses are permitted.
- 2.5.2.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.
- A. Commercial Services Use Group, Sec. 6.3.5
    - 1. Administrative and Professional Office "26"
    - 2. Communications "26", subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
    - 3. Day Care "26", subject to: Sec. 3.5.13.5
    - 4. Financial Service "26"
    - 5. Food Service "26", subject to: Sec. 3.5.4.6.A and .C, except alcoholic beverage sales
    - 6. Personal Service "26", subject to: Sec. 3.5.4.13.A
    - 7. Trade Service and Repair, Minor, "26", except upholstery shops
  - B. Retail Trade Use Group, Sec. 6.3.10
    - 1. Food and Beverage Sales "26", except alcoholic beverage sales
    - 2. General Merchandise Sales "26"
  - C. Civic Use Group, Sec. 6.3.4
    - 1. Cultural Use "26", subject to: Sec. 3.5.3.2
    - 2. Educational Use: Elementary and Secondary Schools "11", subject to: Sec. 3.5.3.7 and Sec. 3.5.13.5 (Ord. No. 9075, §1, 6/15/98)
    - 3. Postal Service "26", subject to: Sec. 3.5.3.2
    - 4. Protective Service "26", subject to: Sec. 3.5.3.2
  - D. Recreation Use Group, Sec. 6.3.7
    - 1. Neighborhood Recreation "26", subject to: Sec. 3.5.13.5
  - E. Residential Use Group, Sec. 6.3.8
    - 1. Family Dwelling "M"



2. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "26", subject to: Sec. 3.5.7.8.C.1 and .D
3. Residential Care Services: Rehabilitation Service - children's facilities "26", subject to: Sec. 3.5.7.8.A, .C.1, and .D

2.5.2.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Commercial Services Use Group, Sec. 6.3.5

1. Communications "7", limited to wireless communication towers and antennae, subject to: Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.1, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)

B. Utilities Use Group, Sec. 6.3.12

1. Distribution System "11", subject to: Sec. 3.5.11.1.A, .E, and .I and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

C. Civic Use Group, Sec. 6.3.4

1. Educational Use: Elementary and Secondary Schools "11", subject to: Sec. 3.5.13.5 and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9075, §1, 6/15/98)

2.5.2.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. Home Occupations are permitted as Secondary Land Uses to Family Dwelling.

1. Home Occupation: General Application, subject to: Sec. 3.5.7.2
2. Home Occupation: Day Care, subject to: Sec. 3.5.7.3
3. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. 3.5.7.4.A, .E, .F, .G, .H, .I, .J, .K, and .L

B. The following is permitted as a Secondary Land Use to all uses in the Commercial Services and Retail Trade Use Groups.

1. Industrial Use Group, Sec. 6.3.6
  - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §4, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

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C. The following is permitted as a Secondary Land Use to Educational Use.

1. Industrial Use Group, Sec. 6.3.6

a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §4, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

2.5.2.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

2.5.2.6 General Restrictions. The following restrictions apply to all uses and development in this zone.

A. Drive-through or drive-in services are not permitted.

B. All land use activities, except the Residential Use Group, shall be conducted entirely within an enclosed building unless specifically provided otherwise in the Performance Criteria for the use. Vehicular use areas do not have to be located within enclosed buildings.

C. All land use activities, except the Residential Use Group, are subject to Sec. 3.5.13.2.

D. All nonresidential development and nonresidential exterior remodeling that require a building permit must be reviewed and approved by the Design Review Board (DRB) for architectural and site design compatibility with the surrounding residential area. Refer to Sec. 3.5.4.11.G for DRB review criteria. (Ord. No. 9967, §2, 7/1/04)

E. All land uses are limited to two thousand (2,000) square feet of GFA, except Family Dwelling and Educational Uses. Mixed use or multi-tenant developments are limited to ten thousand (10,000) square feet of GFA. A tenant within a mixed use development is limited to two thousand (2,000) square feet of GFA. Outdoor activity areas allowed in this zone are included in the GFA limitations.

Exception: On authorization of rezoning of property to the NC zone, Mayor and Council may approve land uses that will be located in existing structures or portions thereof, which exceed the limitation of two thousand (2,000) square feet of gross floor area per use or the limitations restricting mixed use or multi-tenant development to ten thousand (10,000) square feet of gross floor area. The gross floor area for any such exception shall neither be increased nor enlarged following initial authorization, and the right to exceed the gross floor area restrictions shall be terminated if discontinued or abandoned. (Ord. No. 8704, §1, 5/13/96)

**2.5.3 "C-1" COMMERCIAL ZONE.**

2.5.3.1 Purpose. This zone provides for low-intensity, commercial and other uses that are compatible with adjacent residential uses. Residential and other related uses are permitted.

2.5.3.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Commercial Services Use Group, Sec. 6.3.5

All Commercial Services Uses may provide one (1) drive-through service lane unless otherwise provided.

1. Administrative and Professional Office "29"
2. Animal Service "28", subject to: Sec. 3.5.4.1.A, .B, .C, and .D
3. Communications "28", subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
4. Day Care "29"
5. Entertainment "28", subject to: Sec. 3.5.4.19.C
6. Financial Service "28", subject to: Sec. 3.5.4.5.A
7. Food Service "28", subject to: Sec. 3.5.4.6.A and .C
8. Medical Service - Extended Health Care "29", subject to: Sec. 3.5.13.5 (Ord. No. 9138, §1, 10/5/98)
9. Medical Service - Major "29" (Ord. No. 9138, §1, 10/5/98)
10. Medical Service - Outpatient "29", subject to: Sec. 3.5.4.8.B (Ord. No. 9138, §1, 10/5/98)
11. Parking "29"
12. Personal Service "28", subject to: Sec. 3.5.4.13.A
13. Research and Product Development "16"
14. Technical Service "28", subject to: Sec. 3.5.4.16.A
15. Trade Service and Repair, Minor, "28", subject to: Sec. 3.5.4.27 (Ord. No. 8653, §1, 2/26/96)
16. Travelers' Accommodation, Lodging, "29"

(Ord. No. 8653, §1, 2/26/96; Ord. No. 9138, §1, 10/5/98)

B. Retail Trade Use Group, Sec. 6.3.10

All Retail Trade Uses may provide one (1) drive-through service lane unless otherwise provided.

1. Food and Beverage Sales "28"
2. General Merchandise Sales "28", subject to: Sec. 3.5.9.2.C

C. Civic Use Group, Sec. 6.3.4

1. Cemetery "3", subject to: Sec. 3.5.3.1.A and Sec. 3.5.13.5
2. Civic Assembly "28"
3. Cultural Use "28", subject to: Sec. 3.5.3.2
4. Educational Use: Elementary and Secondary Schools "28", subject to: Sec. 3.5.3.7 and Sec. 3.5.13.5 (Ord. No. 9075, §1, 6/15/98)
5. Educational Use: Instructional School "28"
6. Educational Use: Postsecondary Institution "28", subject to: Sec. 3.5.3.3
7. Membership Organization "28"
8. Postal Service "28", subject to: Sec. 3.5.3.2
9. Protective Service "28", subject to: Sec. 3.5.3.2
10. Religious Use "28"

D. Recreation Use Group, Sec. 6.3.7

1. Golf Course "1", subject to: Sec. 3.5.6.3 and Sec. 3.5.13.5
2. Neighborhood Recreation "28", subject to: Sec. 3.5.13.5
3. Recreation "28"

E. Residential Use Group, Sec. 6.3.8

1. Family Dwelling "O"
2. Family Dwelling "RCP-9", subject to: Sec. 3.6.1
3. Group Dwelling "17"
4. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "29", subject to: Sec. 3.5.7.8.C.4, .D, and .H (no minimum lot size)
5. Residential Care Services: Rehabilitation Service - children's facilities "K", subject to: Sec. 3.5.7.8.A, .C.1, and .D
6. Residential Care Services: Shelter Care - victims of domestic violence "K", subject to: Sec. 3.5.7.8.A, .C.3, and .D

7. Residential Care Services: Rehabilitation Service or Shelter Care "29", subject to: Sec. 3.5.7.8.A, .C.4, .D, .F, and .H (no minimum lot size)

F. Storage Use Group, Sec. 6.3.11

1. Personal Storage "38", subject to: Sec. 3.5.10.3

2.5.3.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Commercial Services Use Group, Sec. 6.3.5

1. Alcoholic Beverage Service "28", as a Secondary Land Use to Food Service, subject to: Sec. 3.5.4.7.A, .B, .D, .F, .G, .H, .I, and .J; Sec. 3.5.4.19.C; and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 8666, §1, 3/25/96; Ord. No. 9967, §2, 7/1/04)
2. Alcoholic Beverage Service "28", as a Secondary Land Use to Travelers' Accommodation, Lodging, subject to: Sec. 3.5.4.17.B, .D, .G, .H, .I, and .K; Sec. 3.5.4.19.C; and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 8666, §1, 3/25/96; Ord. No. 9967, §2, 7/1/04)
3. Automotive - Minor Service and Repair "28", subject to: Sec. 3.5.4.2.B, .C, .D, and .E and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)
4. Communications "8", limited to wireless communication towers and antennae, subject to: Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.1, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)
5. Medical Service - Outpatient, limited to blood donor center, "28", subject to: Sec. 3.5.4.8.C and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 8582, §1, 9/25/95; Ord. No. 9967, §2, 7/1/04)

(Ord. No. 8666, §1, 3/25/96)

B. Residential Use Group, Sec. 6.3.8

1. Residential Care Services: Rehabilitation Service or Shelter Care "29", subject to: Sec. 3.5.7.8.A, .C.4, .D, and .H (no minimum lot size) and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

C. Utilities Use Group, Sec. 6.3.12

1. Distribution System "12", subject to: Sec. 3.5.11.1.A, .E, and .I and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

D. Civic Use Group, Sec. 6.3.4

1. Educational Use: Elementary and Secondary Schools "28", subject to: Sec. 3.5.13.5 and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and Sec. 23A-53. (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9075, §1, 6/15/98)

E. Retail Trade Use Group, Sec. 6.3.10

1. Food and Beverage Sales - Large Retail Establishment "28", subject to: Sec. 3.5.9.7 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
2. General Merchandise Sales - Large Retail Establishment "28", subject to: Sec. 3.5.9.7 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9293, §1, 9/27/99)

F. Industrial Use Group, Sec. 6.3.6

1. Perishable Goods Manufacturing "28", as a Secondary Land Use to Food Service, subject to: Sec. 3.5.5.2.F, .G, and .H and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and Sec. 23A-53. (Ord. No. 9967, §2, 7/1/04)
2. Salvaging and Recycling, limited to household goods donation center, "28", subject to: Sec. 3.5.5.6.B, .F, .G, .H, .I, .J, .K, and .L; Sec. 3.5.13.1.B; Sec. 3.5.13.2; Sec. 3.5.13.3; Sec. 3.5.13.4; and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and Sec. 23A-53. (Ord. No. 9915, §4, 11/24/03; Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9634, §1, 12/10/01)

2.5.3.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

- A. Alcoholic Beverage Service is permitted as a Secondary Land Use to Food Service, subject to: Sec. 3.5.4.7.A, .C, .E, .F, .H, .I, and .J and Sec. 3.5.4.19.C. (Ord. No. 8666, §1, 3/25/96)
- B. Automotive - Minor Service and Repair is permitted as a Secondary Land Use to General Merchandise Sales (of automotive fuel), subject to: Sec. 3.5.4.2.G.
- C. Home Occupations are permitted as Secondary Land Uses to Family Dwelling.
  1. Home Occupation: General Application, subject to: Sec. 3.5.7.2
  2. Home Occupation: Day Care, subject to: Sec. 3.5.7.3
- D. The following are permitted as Secondary Land Uses to Religious Use.
  1. Civic Use Group, Sec. 6.3.4
    - a. Cemetery, subject to: Sec. 3.5.3.1.D
  2. Industrial Use Group, Sec. 6.3.6
    - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §4, 11/24/03)
- E. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.1.

F. The following is permitted as a Secondary Land Use to Educational Use.

1. Industrial Use Group, Sec. 6.3.6

- a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §4, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

G. The following are permitted as Secondary Land Uses to all uses in the Commercial Services and Retail Trade Use Groups.

1. Industrial Use Group, Sec. 6.3.6

- a. Perishable Goods Manufacturing, subject to: Sec. 3.5.5.2.D, .E, and .H  
b. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §4, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

H. The following is permitted as a Secondary Land Use to all uses in the Retail Trade Use Group.

1. Industrial Use Group, Sec. 6.3.6

- a. Craftwork, subject to: Sec. 3.5.5.7

(Ord. No. 8653, §1, 2/26/96)

I. Alcoholic Beverage Service is permitted as a Secondary Land Use to Travelers' Accommodation, Lodging, subject to: Sec. 3.5.4.17.B, .D, .G, .H, .I, .J, and .K and Sec. 3.5.4.19.C.

(Ord. No. 8666, §1, 3/25/96)

2.5.3.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

2.5.3.6 General Restrictions. The following restrictions apply to all uses and development in this zone.

- A. Drive-through services are not permitted unless specifically provided for the land use.  
B. All land use activities except vehicular use areas shall be conducted entirely within an enclosed building unless specifically provided otherwise.

**2.5.4 "C-2" COMMERCIAL ZONE.**

2.5.4.1 Purpose. This zone provides for general commercial uses that serve the community and region. Residential and other related uses are also permitted.

2.5.4.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Commercial Services Use Group, Sec. 6.3.5

1. Administrative and Professional Office "31", subject to: Sec. 3.5.13.5
2. Alcoholic Beverage Service "30", subject to: Sec. 3.5.4.19.C and Sec. 3.5.13.5
3. Animal Service "30", subject to: Sec. 3.5.4.1.A, .B, .C, and .D
4. Automotive - Service and Repair "30", subject to: Sec. 3.5.13.5
5. Billboard "32", subject to: Sec. 3.5.4.26, Sec. 3.5.13.5, and the Regulations of Chapter 3, Advertising and Outdoor Signs, of the Tucson Code (Ord. No. 8610, §1, 11/27/95)
6. Building and Grounds Maintenance "30"
7. Communications "31", subject to: Sec. 3.5.4.20.A and Sec. 3.5.13.5 or Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
8. Construction Service "30"
9. Day Care "31", subject to: Sec. 3.5.13.5
10. Entertainment "31", subject to: Sec. 3.5.4.4.A, .B, .C, and .D, Sec. 3.5.4.19.C, and Sec. 3.5.13.5
11. Financial Service "31", subject to: Sec. 3.5.13.5
12. Food Service "30", subject to: Sec. 3.5.4.6.C and Sec. 3.5.13.5
13. Funeral Service "30"
14. Medical Service - Extended Health Care "31", subject to: Sec. 3.5.13.5
15. Medical Service - Major "31"
16. Medical Service - Outpatient "31", subject to: Sec. 3.5.4.8.B
17. Parking "31", subject to: Sec. 3.5.13.5
18. Personal Service "30"
19. Research and Product Development "31"
20. Technical Service "31", subject to: Sec. 3.5.4.16.B



21. Trade Service and Repair, Minor, "30"
22. Transportation Service, Land Carrier, "31", subject to: Sec. 3.5.13.5
23. Travelers' Accommodation, Lodging, "31", subject to: Sec. 3.5.13.5
- B. Retail Trade Use Group, Sec. 6.3.10
  1. Construction Material Sales "31"
  2. Food and Beverage Sales "31"
  3. General Merchandise Sales "31", subject to: Sec. 3.5.9.2.A
  4. Heavy Equipment Sales "30", subject to: Sec. 3.5.9.3
  5. Swap Meets and Auctions "30", subject to: Sec. 3.5.9.4
  6. Vehicle Rental and Sales "31", subject to: Sec. 3.5.9.5.A and .B (Ord. No. 8653, §1, 2/26/96)
- C. Civic Use Group, Sec. 6.3.4
  1. Civic Assembly "31"
  2. Correctional Use: Supervision Facility "8", subject to: Sec. 3.5.3.4.B.1, .3.a, .4.b, .5.a, .8, and .10
  3. Cultural Use "31"
  4. Educational Use: Elementary and Secondary Schools "31", subject to: Sec. 3.5.3.7 (Ord. No. 9075, §1, 6/15/98)
  5. Educational Use: Postsecondary Institution "31", subject to: Sec. 3.5.3.3
  6. Educational Use: Instructional School "31"
  7. Membership Organization "30"
  8. Postal Service "31"
  9. Protective Service "31"
  10. Religious Use "31"
- D. Industrial Use Group, Sec. 6.3.6
  1. Craftwork "30"
  2. Processing and Cleaning "30"
  3. Salvaging and Recycling "30", subject to: Sec. 3.5.5.6.B, .C, and .E (Ord. No. 8653, §1, 2/26/96; Ord. No. 9915, §4, 11/24/03)
- E. Recreation Use Group, Sec. 6.3.7

1. Golf Course "1", subject to: Sec. 3.5.6.3 and Sec. 3.5.13.5
  2. Neighborhood Recreation "30"
  3. Recreation "31"
- F. Residential Use Group, Sec. 6.3.8
1. Family Dwelling "R"
  2. Family Dwelling "RCP-7", subject to: Sec. 3.6.1
  3. Group Dwelling "30"
  4. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "30", subject to: Sec. 3.5.7.8.C.4, .D, and .H (no minimum lot size)
  5. Residential Care Services: Rehabilitation Service - children's facilities "30", subject to: Sec. 3.5.7.8.A, .C.1, and .D
  6. Residential Care Services: Shelter Care - victims of domestic violence "30", subject to: Sec. 3.5.7.8.A, .C.3, and .D
  7. Residential Care Services: Rehabilitation Service or Shelter Care "31", subject to: Sec. 3.5.7.8.A, .C.4, .D, .F, and .H (no minimum lot size)
- G. Restricted Adult Activities Use Group, Sec. 6.3.9, subject to: Sec. 3.5.8.1
1. Adult Commercial Services "30"
  2. Adult Recreation "30"
  3. Adult Retail Trade "30"
- H. Storage Use Group, Sec. 6.3.11
1. Commercial Storage "31", subject to: Sec. 3.5.10.1
  2. Personal Storage "31", subject to: Sec. 3.5.10.3.C and .F (Ord. No. 8653, §1, 2/26/96; Ord. No. 9631, §1, 12/10/01)
- I. Utilities Use Group, Sec. 6.3.12
1. Distribution System "30", subject to: Sec. 3.5.11.1.A, .E, and .I
- J. Wholesaling Use Group, Sec. 6.3.13
1. Business Supply and Equipment Wholesaling "31"
  2. Construction/Heavy Equipment Wholesaling "31"
  3. Food and Beverage Wholesaling "31"

2.5.4.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Residential Use Group, Sec. 6.3.8

1. Residential Care Services: Rehabilitation Service or Shelter Care "31", subject to: Sec. 3.5.7.8.A, .C.4, .D, and .H (no minimum lot size) and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and Sec. 23A-53. (Ord. No. 9967, §2, 7/1/04)

B. Civic Use Group, Sec. 6.3.4

1. Correctional Use: Custodial Facility "8", subject to: Sec. 3.5.3.4.B.1, .3.a, .4.b, .5.b, .8, .9, and .10 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
2. Educational Use: Elementary and Secondary Schools "31", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and Sec. 23A-53. (Ord. No. 9075, §1, 6/15/98; Ord. No. 9967, §2, 7/1/04)

C. Commercial Services Use Group, Sec. 6.3.5

1. Alcoholic Beverage Service - Large Bar "30", subject to: Sec. 3.5.4.19.B and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
2. Communications "31", subject to: Sec. 3.5.4.20.B, .C, and .E.1, or Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.2, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)
3. Entertainment - Dance Hall "30", subject to: Sec. 3.5.4.19.B and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
4. Food Service, limited to a soup kitchen, "31", subject to: Sec. 3.5.4.6.D and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
5. Medical Service - Outpatient, limited to a blood donor center, "31", subject to: Sec. 3.5.4.8.C and approval through a Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. 8582, §1, 9/25/95; (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 8813, §1, 3/3/97)

D. Retail Trade Use Group, Sec. 6.3.10

1. Food and Beverage Sales - Large Retail Establishment "31", subject to: Sec. 3.5.9.7 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
2. General Merchandise Sales - Large Retail Establishment "31", subject to: Sec. 3.5.9.7 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9293, §1, 9/27/99)

E. Industrial Use Group, Sec. 6.3.6

1. Salvaging and Recycling, limited to household goods donation center, "30", subject to: Sec. 3.5.5.6.B, .F, .G, .H, .I, .J, .K, and .L; Sec. 3.5.13.1.B; Sec. 3.5.13.2; Sec. 3.5.13.3; Sec. 3.5.13.4; and approval through a Limited Notice Procedure, Sec. 23A-40. This special exception use may be suspended or terminated for failure to conform to adopted conditions in accordance with Sec. 23A-54. (Ord. No. 9915, §4, 11/24/03; (Ord. No. 9967, §2, 7/1/04)

2.5.4.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. Home Occupations are permitted as Secondary Land Uses to Family Dwelling.

1. Home Occupation: General Application, subject to: Sec. 3.5.7.2
2. Agricultural Use Group, Sec. 6.3.3
  - a. General Farming, subject to: Sec. 3.5.2.1.A.1 and .C.1 and Sec. 3.5.2.2

B. The following are permitted as Secondary Land Uses to the Commercial Services, Retail Trade, or Wholesaling Use Groups, limited to twenty-five (25) percent of the gross floor area. More than twenty-five (25) percent of the gross floor area may be allocated to the permitted Secondary Land Use if the criteria in Sec. 3.5.5 are met.

1. Industrial Use Group, Sec. 6.3.6
  - a. General Manufacturing
  - b. Heavy Equipment Manufacturing
  - c. Perishable Goods Manufacturing, limited to: Baked goods and confectionery products manufacturing only (Ord. No. 8653, §1, 2/26/96)
  - d. Precision Manufacturing
  - e. Primary Manufacturing

C. The following are permitted as Secondary Land Uses to Religious Use.

1. Civic Use Group, Sec. 6.3.4
  - a. Cemetery, subject to: Sec. 3.5.3.1.D
2. Industrial Use Group, Sec. 6.3.6
  - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §4, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

D. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.1.

E. The following is permitted as a Secondary Land Use to Alcoholic Beverage Service.

1. Industrial Use Group, Sec. 6.3.6

- a. Perishable Goods Manufacturing, subject to: Sec. 3.5.5.2.F, .G, and .H

(Ord. No. 8653, §1, 2/26/96)

F. The following is permitted as a Secondary Land Use to Educational Use.

1. Industrial Use Group, Sec. 6.3.6

- a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §4, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

G. The following is permitted as a Secondary Land Use to all uses in the Commercial Services and Retail Trade Use Groups.

1. Industrial Use Group, Sec. 6.3.6

- a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §4, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

2.5.4.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

2.5.4.6 General Restrictions. The following restrictions apply to all uses and development in this zone.

- A. Outdoor display of finished products for rent or sale at retail or wholesale is permitted, unless prohibited by specific performance criteria.
- B. Unless modified by specific performance criteria or Sec. 2.5.4.6.A, land uses in the Commercial Services, Industrial, Restricted Adult Activities, and Wholesaling Use Groups shall be conducted entirely within an enclosed building.

**2.5.5 "C-3" COMMERCIAL ZONE.**

2.5.5.1 Purpose. This zone provides for mid-rise development of general commercial uses that serve the community and region, located downtown or in other major activity center areas. Residential and other related uses are also permitted.

2.5.5.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Commercial Services Use Group, Sec. 6.3.5

1. Administrative and Professional Office "34"
2. Alcoholic Beverage Service "33", subject to: Sec. 3.5.4.19.C
3. Animal Service "33", subject to: Sec. 3.5.4.1.A, .B, .C, and .D or Sec. 3.5.4.1.G
4. Automotive - Service and Repair "33"
5. Billboard "32", subject to: Sec. 3.5.4.26 and the Regulations of Chapter 3, Advertising and Outdoor Signs, of the Tucson Code (Ord. No. 8610, § 1, 11/27/95)
6. Building and Grounds Maintenance "33"
7. Communications "34", subject to: Sec. 3.5.4.20.A or Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, § 1, 3/3/97)
8. Construction Service "33"
9. Day Care "34"
10. Entertainment "34", subject to: Sec. 3.5.4.4.A, .B, .C, and .D and Sec. 3.5.4.19.C
11. Financial Service "34"
12. Food Service "33", subject to: Sec. 3.5.4.6.C
13. Funeral Service "33"
14. Medical Service - Extended Health Care "34"
15. Medical Service - Major "34"
16. Medical Service - Outpatient "34", subject to: Sec. 3.5.4.8.B
17. Parking "34"
18. Personal Service "33"

19. Research and Product Development "34"
20. Technical Service "34", subject to: Sec. 3.5.4.16.B
21. Trade Service and Repair, Major, "33", subject to: Sec. 3.5.4.15
22. Trade Service and Repair, Minor, "33"
23. Transportation Service, Land Carrier, "34"
24. Travelers' Accommodation, Lodging, "34"
- B. Retail Trade Use Group, Sec. 6.3.10
  1. Construction Material Sales "34"
  2. Food and Beverage Sales "34"
  3. General Merchandise Sales "34", subject to: Sec. 3.5.9.2.A
  4. Heavy Equipment Sales "33", subject to: Sec. 3.5.9.3
  5. Swap Meets and Auctions "33", subject to: Sec. 3.5.9.4
  6. Vehicle Rental and Sales "34", subject to: Sec. 3.5.9.5.A and .B (Ord. No. 8653, § 1, 2/26/96)
- C. Civic Use Group, Sec. 6.3.4
  1. Civic Assembly "34"
  2. Correctional Use: Supervision Facility "8", subject to: Sec. 3.5.3.4.B.1, .3.a, .4.b, .5.a, .8, and .10
  3. Cultural Use "34"
  4. Educational Use: Elementary and Secondary Schools "34", subject to: Sec. 3.5.3.7 (Ord. No. 9075, § 1, 6/15/98)
  5. Educational Use: Instructional School "34"
  6. Educational Use: Postsecondary Institution "34", subject to: Sec. 3.5.3.3
  7. Membership Organization "33"
  8. Postal Service "34"
  9. Protective Service "34"
  10. Religious Use "34"

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ARTICLE II. ZONES  
DIVISION 5. COMMERCIAL ZONES  
"C-3" COMMERCIAL ZONE

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D. Industrial Use Group, Sec. 6.3.6

1. Craftwork "33"
2. Processing and Cleaning "33"
3. Salvaging and Recycling "33", subject to: Sec. 3.5.5.6.B, .C, and .E (Ord. No. 8653, §1, 2/26/96; Ord. No. 9915, §4, 11/24/03)
4. Salvaging and Recycling, limited to household goods donation center, "33", subject to: Sec. 3.5.5.6.B, .F, .G, .H, .I, .J, and .K; Sec. 3.5.13.3; and Sec. 3.5.13.4 (Ord. No. 9915, §4, 11/24/03)

E. Recreation Use Group, Sec. 6.3.7

1. Golf Course "1", subject to: Sec. 3.5.6.3 and Sec. 3.5.13.5
2. Neighborhood Recreation "33"
3. Recreation "34"

F. Residential Use Group, Sec. 6.3.8

1. Family Dwelling "S"
2. Group Dwelling "33"
3. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "33", subject to: Sec. 3.5.7.8.C.4 and .D
4. Residential Care Services: Rehabilitation Service - children's facilities "33", subject to: Sec. 3.5.7.8.A, .C.1, and .D
5. Residential Care Services: Shelter Care - victims of domestic violence "33", subject to: Sec. 3.5.7.8.A, .C.3, and .D
6. Residential Care Services: Rehabilitation Service or Shelter Care "33", subject to: Sec. 3.5.7.8.A, .C.4, .D, .F, and .H (no minimum lot size)

G. Restricted Adult Activities Use Group, Sec. 6.3.9, subject to: Sec. 3.5.8.1

1. Adult Commercial Services "33"
2. Adult Recreation "33"
3. Adult Retail Trade "33"

H. Storage Use Group, Sec. 6.3.11

1. Commercial Storage "34", subject to: Sec. 3.5.10.1
2. Personal Storage "34", subject to: Sec. 3.5.10.3.C and .F (Ord. No. 8653, §1, 2/26/96; Ord. No. 9631, §1, 12/10/01)



- I. Utilities Use Group, Sec. 6.3.12
  - 1. Distribution System "33", subject to: Sec. 3.5.11.1.A, .E, and .I

- J. Wholesaling Use Group, Sec. 6.3.13
  - 1. Business Supply and Equipment Wholesaling "34"
  - 2. Construction/Heavy Equipment Wholesaling "34"
  - 3. Food and Beverage Wholesaling "34"

2.5.5.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

- A. Reserved. (Ord. No. 9138, §1, 10/5/98)

- B. Residential Use Group, Sec. 6.3.8

- 1. Residential Care Services: Rehabilitation Service or Shelter Care "31", subject to: Sec. 3.5.7.8.A, .C.4, .D, and .H (no minimum lot size) and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and Sec. 23A-53. (Ord. No. 9967, §2, 7/1/04)

- C. Civic Use Group, Sec. 6.3.4

- 1. Correctional Use: Custodial Facility "8", subject to: Sec. 3.5.3.4.B.1, .3.a, .4.b, .5.b, .8, .9, and .10 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
  - 2. Educational Use: Elementary and Secondary Schools "34", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and Sec. 23A-53. (Ord. No. 9075, §1, 6/15/98; Ord. No. 9967, §2, 7/1/04)

- D. Commercial Services Use Group, Sec. 6.3.5

- 1. Alcoholic Beverage Service - Large Bar "33", subject to: Sec. 3.5.4.19.B and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
  - 2. Communications "34", subject to: Sec. 3.5.4.20.B, .C, and .E.1, or Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.2, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)
  - 3. Entertainment - Dance Hall "33", subject to: Sec. 3.5.4.19.B and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
  - 4. Food Service, limited to a soup kitchen, "33", subject to: Sec. 3.5.4.6.D and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
  - 5. Medical Service - Outpatient, limited to a blood donor center, "33", subject to: Sec. 3.5.4.8.C and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 8582, §1, 9/25/95; Ord. No. 9967, §2, 7/1/04)  
(Ord. No. 8813, §1, 3/3/97)

E. Retail Trade Use Group, Sec. 6.3.10

1. Food and Beverage Sales - Large Retail Establishment "34", subject to: Sec. 3.5.9.7 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)
2. General Merchandise Sales - Large Retail Establishment "34", subject to: Sec. 3.5.9.7 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9293, §1, 9/27/99)

2.5.5.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. Home Occupations are permitted as Secondary Land Uses to Family Dwelling.

1. Home Occupation: General Application, subject to: Sec. 3.5.7.2
2. Agricultural Use Group, Sec. 6.3.3
  - a. General Farming, subject to: Sec. 3.5.2.1.A.1 and .C.1 and Sec. 3.5.2.2

B. The following are permitted as Secondary Land Uses to the Commercial Services, Retail Trade, or Wholesaling Use Groups, limited to thirty-three (33) percent of the gross floor area. More than thirty-three (33) percent of the gross floor area may be allocated to the permitted Secondary Land Use if the criteria in Sec. 3.5.5 are met.

1. Industrial Use Group, Sec. 6.3.6
  - a. General Manufacturing
  - b. Heavy Equipment Manufacturing
  - c. Perishable Goods Manufacturing, limited to: Baked goods and confectionery products manufacturing only (Ord. No. 8653, §1, 2/26/96)
  - d. Precision Manufacturing
  - e. Primary Manufacturing

C. The following are permitted as Secondary Land Uses to Religious Use.

1. Civic Use Group, Sec. 6.3.4
  - a. Cemetery, subject to: Sec. 3.5.3.1.D
2. Industrial Use Group, Sec. 6.3.6
  - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §4, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

D. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.3.

E. The following is permitted as a Secondary Land Use to Alcoholic Beverage Service.

1. Industrial Use Group, Sec. 6.3.6

a. Perishable Goods Manufacturing, subject to: Sec. 3.5.5.2.F, .G, and .H

(Ord. No. 8653, §1, 2/26/96)

F. The following is permitted as a Secondary Land Use to Educational Use.

1. Industrial Use Group, Sec. 6.3.6

a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §4, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

G. The following is permitted as a Secondary Land Use to all uses in the Commercial Services and Retail Trade Use Groups.

1. Industrial Use Group, Sec. 6.3.6

a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §4, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

2.5.5.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

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**2.5.6 "P" PARKING ZONE.**

2.5.6.1 Purpose. This zone provides for off-street motor vehicle parking within residential areas to serve land uses in another zone.

2.5.6.2 Permitted Land Uses. The following Land Use Classes are permitted within this zone, subject to compliance with the development criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Commercial Services Use Group, Sec. 6.3.5

1. Parking "40", subject to: Sec. 3.5.4.12

2.5.6.3 Accessory Land Uses. The Land Use Classes permitted within this zone as accessory uses are those permitted under Sec. 3.2.5.

**2.5.7 "RV" RECREATIONAL VEHICLE ZONE.**

2.5.7.1 Purpose. The purpose of this zone is to provide for development of short-term occupancy recreational vehicle parks and campsites while ensuring reasonable compatibility with adjoining properties by establishing special requirements.

2.5.7.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Commercial Services Use Group, Sec. 6.3.5

1. Travelers' Accommodation, Campsite, "M"

2.5.7.3 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. The following are permitted as Secondary Land Uses to a Travelers' Accommodation, Campsite, of two hundred (200) spaces or more, subject to: Sec. 3.5.7.5.

1. Commercial Services Use Group, Sec. 6.3.5

a. Day Care

b. Personal Service

2. Retail Trade Use Group, Sec. 6.3.10

a. Food and Beverage Sales

b. General Merchandise Sales

3. Recreation Use Group, Sec. 6.3.7

a. Neighborhood Recreation

4. Residential Use Group, Sec. 6.3.8

a. Family Dwelling

b. Mobile Home Dwelling

c. Residential Care Services: Adult Care Service

B. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.1.

2.5.7.4 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5. Storage structures are not permitted in this zone as accessory to each individual unit space; however, they are permitted as part of the common use facility.

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**DIVISION 6. MIXED USE ZONES**

**SECTIONS:**

- 2.6.1 "OCR-1" OFFICE/COMMERCIAL/RESIDENTIAL ZONE**
  - 2.6.2 "OCR-2" OFFICE/COMMERCIAL/RESIDENTIAL ZONE**
  - 2.6.3 PLANNED AREA DEVELOPMENT (PAD) ZONE**
  - 2.6.4 "MU" MULTIPLE USE ZONE**
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**2.6.1 "OCR-1" OFFICE/COMMERCIAL/RESIDENTIAL ZONE.**

2.6.1.1 Purpose. The purpose of this zone is to provide for high-rise development, that serves the community and region, located in major activity centers or at transit centers. A mixture of development types is encouraged, including office, commercial, and high-density residential uses.

2.6.1.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Commercial Services Use Group, Sec. 6.3.5

1. Administrative and Professional Office "35"
2. Alcoholic Beverage Service "35", subject to: Sec. 3.5.4.19.C
3. Communications "35", subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
4. Day Care "35"
5. Entertainment "35", subject to: Sec. 3.5.4.4.A, .B, .C, and .D and Sec. 3.5.4.19.C
6. Financial Service "35"
7. Food Service "35", subject to: Sec. 3.5.4.6.C
8. Medical Service - Extended Health Care "35" (Ord. No. 9138, §1, 10/5/98)
9. Medical Service - Major "35" (Ord. No. 9138, §1, 10/5/98)
10. Medical Service - Outpatient "35", subject to: Sec. 3.5.4.8.B (Ord. No. 9138, §1, 10/5/98)
11. Parking "35"
12. Personal Service "35"
13. Technical Service "35"
14. Transportation Service, Land Carrier, "35"

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15. Travelers' Accommodation, Lodging, "35"

(Ord. No. 9138, §1, 10/5/98)

B. Retail Trade Use Group, Sec. 6.3.10

1. Food and Beverage Sales "35"

2. General Merchandise Sales "35", subject to: Sec. 3.5.9.2.A

3. Vehicle Rental and Sales "35", subject to: Sec. 3.5.9.5.A and .B (Ord. No. 8653, §1, 2/26/96)

C. Civic Use Group, Sec. 6.3.4

1. Civic Assembly "35"

2. Correctional Use: Supervision Facility "8", subject to: Sec. 3.5.3.4.B.1, .3.a, .4.b, .5.a, .8, and .10

3. Cultural Use "35"

4. Educational Use: Elementary and Secondary Schools "35", subject to: Sec. 3.5.3.7 (Ord. No. 9075, §1, 6/15/98)

5. Educational Use: Postsecondary Institution and Instructional School "35" (Ord. No. 9075, §1, 6/15/98)

6. Membership Organization "35"

7. Postal Service "35"

8. Protective Service "35"

9. Religious Use "35"

(Ord. No. 9075, §1, 6/15/98)

D. Recreation Use Group, Sec. 6.3.7

1. Recreation "35"

E. Residential Use Group, Sec. 6.3.8

1. Family Dwelling "W"

2. Group Dwelling "35"

3. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "35", subject to: Sec. 3.5.7.8.C.4 and .D

4. Residential Care Services: Rehabilitation Service - children's facilities "35", subject to: Sec. 3.5.7.8.A, .C.1, and .D



- 5. Residential Care Services: Shelter Care - victims of domestic violence "35", subject to: Sec. 3.5.7.8.A, .C.3, and .D
- 6. Residential Care Services: Rehabilitation Service or Shelter Care "35", subject to: Sec. 3.5.7.8.A, .C.4, .D, .F, and .H (no minimum lot size)
- F. Restricted Adult Activities Use Group, Sec. 6.3.9, subject to: Sec. 3.5.8.1
  - 1. Adult Commercial Services "35"
  - 2. Adult Recreation "35"
  - 3. Adult Retail Trade "35"
- G. Storage Use Group, Sec. 6.3.11
  - 1. Commercial Storage "35", subject to: Sec. 3.5.10.1
  - 2. Personal Storage "35", subject to: Sec. 3.5.10.3.C and .F (Ord. No. 8653, §1, 2/26/96; Ord. No. 9631, §1, 12/10/01)
- H. Utilities Use Group, Sec. 6.3.12
  - 1. Distribution System "35", subject to: Sec. 3.5.11.1.A, .E, and .I
- I. Industrial Use Group, Sec. 6.3.6
  - 1. Salvaging and Recycling, limited to household goods donation center, "35", subject to: Sec. 3.5.5.6.B, .F, .G, .H, .I, .J, and .K; Sec. 3.5.13.3; and Sec. 3.5.13.4

(Ord. No. 9915, §5, 11/24/03)

2.6.1.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

- A. Retail Trade Use Group, Sec. 6.3.10
  - 1. Swap Meets and Auctions "35", subject to: Sec. 3.5.9.4 and approval through a Limited Notice Procedure, Sec. 23A-40 (Ord. No. 9967, §2, 7/1/04)
  - 2. Food and Beverage Sales - Large Retail Establishment "35", subject to: Sec. 3.5.9.7 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9293, §1, 9/27/99; Ord. No. 9967, §2, 7/1/04)
  - 3. General Merchandise Sales - Large Retail Establishment "35", subject to: Sec. 3.5.9.7 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9293, §1, 9/27/99; Ord. No. 9967, §2, 7/1/04)
- B. Residential Use Group, Sec. 6.3.8

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1. Residential Care Services: Rehabilitation Service or Shelter Care "31", subject to: Sec. 3.5.7.8.A, .C.4, .D, and .H (no minimum lot size) and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

C. Civic Use Group, Sec. 6.3.4

1. Correctional Use: Custodial Facility "8", subject to: Sec. 3.5.3.4.B.1, .3.a, .4.b, .5.b, .8, .9, and .10 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9967, §2, 7/1/04)
2. Educational Use: Elementary and Secondary Schools "35", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9075, §1, 6/15/98; Ord. No. 9967, §2, 7/1/04)

D. Commercial Services Use Group, Sec. 6.3.5

1. Alcoholic Beverage Service - Large Bar "35", subject to: Sec. 3.5.4.19.B and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9967, §2, 7/1/04)
2. Communications "35", subject to: Sec. 3.5.4.20.B, .C, and .E.1, or Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.2, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)
3. Entertainment - Dance Hall "35", subject to: Sec. 3.5.4.19.B and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9967, §2, 7/1/04)
4. Food Service, limited to a soup kitchen, "35", subject to: Sec. 3.5.4.6.D and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9967, §2, 7/1/04)
5. Medical Service - Outpatient, limited to a blood donor center, "35", subject to: Sec. 3.5.4.8.C and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 8582, §1, 9/25/95; Ord. No. 9967, §2, 7/1/04)

(Ord. No. 8813, §1, 3/3/97)

2.6.1.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. Home Occupations are permitted as Secondary Land Uses to Family Dwelling.

1. Home Occupation: General Application, subject to: Sec. 3.5.7.2

B. The following are permitted as Secondary Land Uses to the Commercial Services, Retail Trade, or Wholesaling Use Groups, limited to fifty (50) percent of the gross floor area. More than fifty (50) percent of the gross floor area may be allocated to the permitted Secondary Land Use if the criteria in Sec. 3.5.5 are met.

1. Industrial Use Group, Sec. 6.3.6

- a. General Manufacturing
- b. Heavy Equipment Manufacturing
- c. Perishable Goods Manufacturing, limited to: Baked goods and confectionery products manufacturing only (Ord. No. 9138, §1, 10/5/98)

d. Precision Manufacturing

e. Primary Manufacturing

C. The following are permitted as Secondary Land Uses to Religious Use.

1. Civic Use Group, Sec. 6.3.4

a. Cemetery, subject to: Sec. 3.5.3.1.D

2. Industrial Use Group, Sec. 6.3.6

a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §5, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

D. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.3.

E. The following is permitted as a Secondary Land Use to all uses in the Commercial Services and Retail Trade Use Groups and to Educational Use.

1. Industrial Use Group, Sec. 6.3.6

a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §5, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

F. The following is permitted as a Secondary Land Use to Alcoholic Beverage Service.

1. Industrial Use Group, Sec. 6.3.6

a. Perishable Goods Manufacturing, subject to: Sec. 3.5.5.2.F, .G, and .H

(Ord. No. 8653, §1, 2/26/96)

2.6.1.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

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 "OCR-2" OFFICE/COMMERCIAL/RESIDENTIAL ZONE

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**2.6.2 "OCR-2" OFFICE/COMMERCIAL/RESIDENTIAL ZONE.**

2.6.2.1 Purpose. The purpose of this zone is to provide for high-rise development, that serves the community and region, located in major activity centers. A mixture of development types is encouraged, including office, commercial, and high-density residential uses.

2.6.2.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Commercial Services Use Group, Sec. 6.3.5

1. Administrative and Professional Office "36"
  2. Alcoholic Beverage Service "36", subject to: Sec. 3.5.4.19.C
  3. Communications "36", subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
  4. Day Care "36"
  5. Entertainment "36", subject to: Sec. 3.5.4.4.A, .B, .C, and .D and Sec. 3.5.4.19.C
  6. Financial Service "36"
  7. Food Service "36", subject to: Sec. 3.5.4.6.C
  8. Medical Service - Extended Health Care "36", subject to: Sec. 3.5.13.5 (Ord. No. 9138, §1, 10/5/98)
  9. Medical Service - Major "36" (Ord. No. 9138, §1, 10/5/98)
  10. Medical Service - Outpatient "36", subject to: Sec. 3.5.4.8.B (Ord. No. 9138, §1, 10/5/98)
  11. Parking "36"
  12. Personal Service "36"
  13. Technical Service "36"
  14. Transportation Service, Land Carrier, "36"
  15. Travelers' Accommodation, Lodging, "36"
- (Ord. No. 9138, §1, 10/5/98)

B. Retail Trade Use Group, Sec. 6.3.10

1. Food and Beverage Sales "36"
2. General Merchandise Sales "36", subject to: Sec. 3.5.9.2.A

3. Vehicle Rental and Sales "36", subject to: Sec. 3.5.9.5.A and .B (Ord. No. 8653, §1, 2/26/96)

C. Civic Use Group, Sec. 6.3.4

1. Civic Assembly "36"
2. Correctional Use: Supervision Facility "8", subject to: Sec. 3.5.3.4.B.1, .3.a, .4.b, .5.a, .8, and .10
3. Cultural Use "36"
4. Educational Use: Elementary and Secondary Schools "36", subject to: Sec. 3.5.3.7 (Ord. No. 9075, §1, 6/15/98)
5. Educational Use: Postsecondary Institution and Instructional School "36" (Ord. No. 9075, §1, 6/15/98)
6. Membership Organization "36"
7. Postal Service "36"
8. Protective Service "36"
9. Religious Use "36"

(Ord. No. 9075, §1, 6/15/98)

D. Recreation Use Group, Sec. 6.3.7

1. Recreation "36"

E. Residential Use Group, Sec. 6.3.8

1. Family Dwelling "X"
2. Group Dwelling "36"
3. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "36", subject to: Sec. 3.5.7.8.C.4 and .D
4. Residential Care Services: Rehabilitation Service - children's facilities "36", subject to: Sec. 3.5.7.8.A, .C.1, and .D
5. Residential Care Services: Shelter Care - victims of domestic violence "36", subject to: Sec. 3.5.7.8.A, .C.3, and .D

F. Restricted Adult Activities Use Group, Sec. 6.3.9, subject to: Sec. 3.5.8.1

1. Adult Commercial Services "36"
2. Adult Recreation "36"
3. Adult Retail Trade "36"

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 "OCR-2" OFFICE/COMMERCIAL/RESIDENTIAL ZONE

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G. Storage Use Group, Sec. 6.3.11

1. Commercial Storage "36", subject to: Sec. 3.5.10.1
2. Personal Storage "36", subject to: Sec. 3.5.10.3.C and .F (Ord. No. 8653, §1, 2/26/96; Ord. No. 9631, §1, 12/10/01)

H. Utilities Use Group, Sec. 6.3.12

1. Distribution System "36", subject to: Sec. 3.5.11.1.A, .E, and .I

I. Industrial Use Group, Sec. 6.3.6

1. Salvaging and Recycling, limited to household goods donation center, "36", subject to: Sec. 3.5.5.6.B, .F, .G, .H, .I, .J, and .K; Sec. 3.5.13.3; and Sec. 3.5.13.4

(Ord. No. 9915, §5, 11/24/03)

2.6.2.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Retail Trade Use Group, Sec. 6.3.10

1. Swap Meets and Auctions "36", subject to: Sec. 3.5.9.4 and approval through a Limited Notice Procedure, Sec. 23A-40 (Ord. No. 9967, §2, 7/1/04)
2. Food and Beverage Sales - Large Retail Establishment "36", subject to: Sec. 3.5.9.7 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9293, §1, 9/27/99; Ord. No. 9967, §2, 7/1/04)
3. General Merchandise Sales - Large Retail Establishment "36", subject to: Sec. 3.5.9.7 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9293, §1, 9/27/99; Ord. No. 9967, §2, 7/1/04)

B. Residential Use Group, Sec. 6.3.8

1. Residential Care Services: Rehabilitation Service or Shelter Care "31", subject to: Sec. 3.5.7.8.A, .C.4, .D, and .H (no minimum lot size) and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

C. Civic Use Group, Sec. 6.3.4

1. Correctional Use: Custodial Facility "8", subject to: Sec. 3.5.3.4.B.1, .3.a, .4.b, .5.b, .8, .9, and .10 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9967, §2, 7/1/04)
2. Educational Use: Elementary and Secondary Schools "36", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9075, §1, 6/15/98; Ord. No. 9967, §2, 7/1/04)

D. Commercial Services Use Group, Sec. 6.3.5

## ARTICLE II. ZONES

## DIVISION 6. MIXED USE ZONES

"OCR-2" OFFICE/COMMERCIAL/RESIDENTIAL ZONE

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1. Alcoholic Beverage Service - Large Bar "36", subject to: Sec. 3.5.4.19.B and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9967, §2, 7/1/04)
2. Communications "36", subject to: Sec. 3.5.4.20.B, .C, and .E.1, or Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.2, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)
3. Entertainment - Dance Hall "36", subject to: Sec. 3.5.4.19.B and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9967, §2, 7/1/04)
4. Food Service, limited to a soup kitchen, "36", subject to: Sec. 3.5.4.6.D and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9967, §2, 7/1/04)
5. Medical Service - Outpatient, limited to a blood donor center, "36", subject to: Sec. 3.5.4.8.C and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 8582, §1, 9/25/95; Ord. No. 9967, §2, 7/1/04)

(Ord. No. 8813, §1, 3/3/97)

- 2.6.2.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

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- A. Home Occupations are permitted as Secondary Land Uses to Family Dwelling.
1. Home Occupation: General Application, subject to: Sec. 3.5.7.2
- B. The following are permitted as Secondary Land Uses to the Commercial Services, Retail Trade, or Wholesaling Use Groups, limited to fifty (50) percent of the gross floor area. More than fifty (50) percent of the gross floor area may be allocated to the permitted Secondary Land Use if the criteria in Sec. 3.5.5 are met.
1. Industrial Use Group, Sec. 6.3.6
- a. General Manufacturing
- b. Heavy Equipment Manufacturing
- c. Perishable Goods Manufacturing, limited to: Baked goods and confectionery products manufacturing only (Ord. No. 9138, §1, 10/5/98)
- C. The following are permitted as Secondary Land Uses to Religious Use.
1. Civic Use Group, Sec. 6.3.4
- a. Cemetery, subject to: Sec. 3.5.3.1.D
2. Industrial Use Group, Sec. 6.3.6
- a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §5, 11/24/03)
- (Ord. No. 8653, §1, 2/26/96)
- D. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.3.
- E. The following is permitted as a Secondary Land Use to all uses in the Commercial Services and Retail Trade Use Groups and to Educational Use.
1. Industrial Use Group, Sec. 6.3.6
- a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §5, 11/24/03)
- (Ord. No. 8653, §1, 2/26/96)
- F. The following is permitted as a Secondary Land Use to Alcoholic Beverage Service.
1. Industrial Use Group, Sec. 6.3.6
- a. Perishable Goods Manufacturing, subject to: Sec. 3.5.5.2.F, .G, and .H
- (Ord. No. 8653, §1, 2/26/96)

2.6.2.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

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 PLANNED AREA DEVELOPMENT (PAD) ZONE

**2.6.3 PLANNED AREA DEVELOPMENT (PAD) ZONE.**

2.6.3.1 Purpose. The purpose of the Planned Area Development (PAD) zone is to enable and encourage comprehensively planned development in accordance with adopted plans and policies.

2.6.3.2 Land Use Regulations.

- A. A PAD zone is a zoning classification which provides for the establishment of zoning districts with distinct regulations as adopted by Mayor and Council. A PAD zone shall be identified as a Planned Area Development (PAD) District and may have land use regulations different from the zoning regulations applicable to other zoning districts in this Chapter and any other PAD District.
- B. PAD Districts are identified on the City Zoning Maps by the letters "PAD" followed by a number and the name of the District, such as "PAD-1, Williams Addition Planned Area Development (PAD) District," signifying the set of regulations adopted and applicable to that District.
- C. Where a provision in a PAD District varies from the *Land Use Code (LUC)*, the provisions in the PAD District shall govern.

2.6.3.3 Establishment of a PAD District.

- A. A PAD District is established through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9967, §2, 7/1/04)
- B. Each PAD District must be in compliance with the adopted *General Plan* and applicable subregional, area, and neighborhood plans. (Ord. No. 9517, §2, 2/12/01)
  - 1. A separate PAD zone shall be adopted for each PAD District.
  - 2. A PAD District must have the same boundaries as the applicable PAD zone.

2.6.3.4 Districts Established. The following PAD Districts are established. The list shall be administratively updated, upon adoption of additional PAD Districts, through the appropriate procedure.

- A. "PAD-1" Williams Addition. Adopted on June 1, 1981, by Resolution No. 11533.
- B. "PAD-2" La Entrada. Adopted on February 22, 1982, by Resolution No. 11761.
- C. "PAD-3" Gateway Center. Adopted on January 17, 1983, by Resolution No. 12133.
- D. "PAD-4" Rio Nuevo. Adopted on January 12, 1987, by Resolution No. 13903.
- E. "PAD-5" Tucson Community Center. Adopted on August 3, 1987, by Resolution No. 14130.
- F. "PAD-6A" Civano. Adopted on October 20, 1997, by Ordinance No. 8970.
- G. "PAD-7" La Estancia. Adopted on October 11, 1999, by Ordinance No. 9298.
- H. "PAD-8" Jewish Community Campus. Adopted on February 28, 2000, by Ordinance No. 9345.

2.6.3.5 Initiation of a PAD District. A PAD District is initiated by filing an application for a Zoning Examiner Legislative Procedure in conformance with Sec. 5.4.1 and 5.4.3, with the Development Services Department. The application may be filed by the owners of the subject property, an agent for the property owners, or the Mayor and Council. The application will be accepted for processing only if the following requirements are met. (Ord. No. 9967, §2, 7/1/04)

- A. The site is under single ownership or control.
- B. The site's land area is a minimum of forty (40) acres, or if located in the Downtown Redevelopment District as defined in Sec. 6.2.4 or in the Rio Nuevo and Downtown (RND) Zone as defined in Sec. 6.2.18, there is no minimum site area. The Mayor and Council may authorize the initiation of a PAD District of less than the size required by this Section if the proposed PAD District is consistent with the intent of the PAD zone. (Ord. No. 9780, §2, 10/14/02)
- C. The PAD District shall be contiguous and in such configuration as to accommodate a well-integrated project.

2.6.3.6 Application. PAD District documents shall include the following elements in the form of either a map(s), text, or both, as applicable.

- A. Introduction and Policy. A description of the purpose, scope, main concepts, and goals of the PAD District, indicating the following.
  - 1. Substantial conformance with the *General Plan* and City land use plans which encompass all or part of the proposed PAD District. (Ord. No. 9517, §2, 2/12/01)
  - 2. The rationale for the use of a PAD zone rather than the use of other zones.
  - 3. The benefits to the community and the applicant by the use of a PAD District.
  - 4. The suitability of the PAD District to significant environmental factors if applicable.
  - 5. The compatibility of the PAD District with adjoining land uses.
  - 6. The physical and economic suitability and feasibility of the PAD District with existing infrastructure and services.
- B. Site Analysis.
  - 1. Significant natural and built constraints of the site and surroundings.
  - 2. Major transportation and circulation elements intended to serve the PAD District.
  - 3. Existing zoning of the PAD District site and parcels within one hundred fifty (150) feet.
  - 4. Adjacent parcels and structures within one hundred fifty (150) feet of the PAD District boundary.
  - 5. Off-site open space, recreational facilities, parks, and trails within one (1) mile of the PAD District site.
  - 6. Public, educational, community, and cultural facilities on site and within one (1) mile off site.
  - 7. Existing drainage.
  - 8. PAD District site affected by any overlay zone ordinances and the Major Streets and Routes (MS&R) Ordinance.
  - 9. Inventory of existing structures, roads, and other development.

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10. Location and extent of existing provisions for sewage disposal, effluent use, stormwater drainage, and utilities.
  11. Inventory of existing infrastructure and public services.
  12. Hydrology and water resources.
  13. Topography and slope.
  14. Vegetation and wildlife.
  15. Geology and soils.
  16. Viewsheds and visual analysis.
  17. Paleontological and cultural (archaeological and historical) sites, structures, and districts.
- C. PAD District Proposal.
1. Illustrative site plan.
  2. The general allocation and identification of major proposed land uses, including residential (by density range), nonresidential, open space, and recreational land uses.
  3. Name, location, and extent of existing or proposed major streets located within the PAD District or needed for servicing the PAD District.
  4. Typical street cross-sections.
  5. A detailed listing of the permitted land uses in the PAD District.
  6. A detailed listing of the regulations governing permitted uses, including, performance standards and standards for development, regulations for development densities, heights, floor area and floor area ratios (FARs), open space, lot area and coverage, parking, landscaping, and other site improvements.
  7. Standards for the conservation, development, or utilization of natural resources, including surface water, soils, vegetation, and wildlife.
  8. Where applicable, the methods of conservation for scenic natural and built features and viewsheds.
  9. Standards and responsibilities for maintenance of infrastructure and whether the infrastructure is public or private.
  10. Standards for the phasing and construction of streets proposed for the PAD District or needed for servicing the project as identified in the required study(ies) submitted with the PAD District proposal.
  11. Standards for the phasing and construction of sewage disposal, effluent use, stormwater drainage, solid waste disposal, and public utilities as identified in the required study(ies) submitted with the PAD District proposal.
  12. A phasing schedule for the following, as applicable.
    - a. The preservation of site features established by the PAD District.

- b. The development of the PAD District.
- c. The construction, dedication, and provision of public services.
- 13. A draft form of financial assurances to be recorded prior to ordinance adoption.
- 14. Specifications as to how and to what extent the PAD District is to supplement or supersede adopted City zoning regulations.
- 15. Standards for the interpretation of the PAD District regulations and requirements.
- 16. Development design guidelines.
- 17. General landscape program.
- 18. Drainage plan.
- 19. A traffic and transportation study which includes trip generation factors for various modes, estimated trips per day by land use, proposed vehicular access and circulation plan, and traffic impacts by mode on adjacent development.
- 20. Impacts on existing structures, roads, and other development.
- 21. Impacts on existing infrastructure and public services.
- 22. Location and extent of proposed provisions for sewage disposal, effluent use, stormwater drainage, and utilities.
- D. Other information as may be determined necessary by the Planning Director.

**2.6.3.7**     PAD District Implementation and Assurances.

- A. *PAD District Implementation.* The implementation of PAD Districts shall be in accordance with the procedures of the *LUC*. PAD Districts may establish additional implementation procedures, provided such methods are not in conflict with required procedures and are fully described by the PAD District document.
- B. *Assurances.* The City may require financial or other assurances in accordance with Development Standard 1-04.0 for any PAD District and any individual phase of a PAD District to assure the installation of required street, sewer, electric and water utilities, drainage, flood control, and other improvements.

**2.6.3.8**     Development Plan Approval. No development shall occur within a PAD District unless and until a development plan is approved by the City in accordance with Sec. 5.3.8. The Development Services Director is granted the authority to approve PAD District development plans. (Ord. No. 9967, §2, 7/1/04)

**2.6.3.9**     Enforcement. Regulations adopted for each District are enforced in the same manner as provided in Article V, Administration, Division 5, of the *LUC*.

**2.6.3.10**    Interpretation. The Zoning Administrator shall interpret a PAD District per Sec. 1.2.1 and Sec. 23A-31. Interpretations of *LUC* provisions may be applied to similar PAD zone provisions. (Ord. No. 9967, §2, 7/1/04)

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2.6.3.11 Amendment Procedures.

- A. PAD District amendments shall be in substantial conformance with the objectives of the PAD District and in conformance with Sec. 5.4.3.10. (Ord. No. 9967, §2, 7/1/04).
- B. Amendment Application.
1. An amendment to a PAD District may be initiated by the property owner, the owner's agent, or the Mayor and Council upon submittal of a written application to amend one (1) or more of the PAD District regulations.
  2. The application shall be accompanied by a statement documenting the need for the amendment.
  3. The Development Services Department Director shall determine if the amendment would result in a substantial change in the PAD District. A substantial change is one which: (Ord. No. 9967, §2, 7/1/04)
    - a. Allows uses not otherwise permitted in the PAD District or a section of the PAD District; or
    - b. Varies or changes a PAD District policy; or
    - c. Increases the number of proposed residences per acre by more than ten (10) percent or exceeds the maximum number of dwelling units permitted within the adopted PAD District; or
    - d. Changes designated buffers or perimeter landscaping, as delineated in the PAD District, which was established to adapt the PAD District to specific site characteristics or mitigate development impacts on the site and surrounding area; or
    - e. Varies the building height, FARs, lot coverage, or building setbacks by more than ten (10) percent of that delineated in the adopted PAD District; or
    - f. As a consequence of more than one (1) nonsubstantial change submitted concurrently, cumulatively results in a significant change in the objectives or goals of the PAD District; or
    - g. Results in a significant change in pedestrian or traffic circulation within the PAD District or in the surrounding area.
  4. If the request is determined to be a substantial change, the Development Services Department Director shall refer the request to the Zoning Examiner (Examiner) for public hearing and recommendation to the Mayor and Council. The procedure for considering the change shall be a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9138, §1, 10/5/98; Ord. No. 9967, §2, 7/1/04)
    - a. A substantial change may require, as determined by the Development Services Department Director, submittal of amended items, such as a site analysis. (Ord. No. 9967, §2, 7/1/04)
  5. The Development Services Department Director may administratively approve nonsubstantial changes. (Ord. No. 9967, §2, 7/1/04)
  6. When requested in writing by the applicant, the Development Services Department Director may authorize a delay in the plan amendment process. (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9374, §1, 4/10/00)

**2.6.4 "MU" MULTIPLE USE ZONE.**

2.6.4.1 Purpose. This zone is solely to provide for comparable zoning for areas annexed into the City limits and is not intended for rezoning.

2.6.4.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Residential Use Group, Sec. 6.3.8

1. Family Dwelling "G"
2. Family Dwelling "K"
3. Group Dwelling "17"
4. Mobile Home Dwelling "G"
5. Mobile Home Dwelling "K"

B. Agricultural Use Group, Sec. 6.3.3

1. Animal Production "9", subject to: Sec. 3.5.2.1.A.1, .B.1, .B.2, and .C.1

C. Civic Use Group, Sec. 6.3.4

1. Civic Assembly "28"
2. Correctional Use - Supervision Facility "8", subject to: Sec. 3.5.3.4.B.1, .3.a, .4.b, .5.a, .8, and .10
3. Cultural Use "28"
4. Educational Use: Instructional School "28"
5. Educational Use: Postsecondary Institution "28"
6. Postal Service "28"
7. Religious Use "28"

D. Commercial Services Use Group, Sec. 6.3.5

1. Communications "28", subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
2. Medical Service - Extended Health Care "6"
3. Medical Service - Major "6"

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4. Medical Service - Outpatient "25", subject to: Sec. 3.5.4.8.B, Sec. 3.5.4.9.B.2, .C, and .D, and Sec. 3.5.13.1.B

E. Recreation Use Group, Sec. 6.3.7

1. Neighborhood Recreation "28"
2. Recreation "28"

- 2.6.4.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

All of the following land uses are subject to Sec. 3.5.5.1.F.

A. Agricultural Use Group, Sec. 6.3.3

1. Animal Production, limited to:
  - a. Commercial stables "2", subject to: Sec. 3.5.2.1.A.2 and .B.2 and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

B. Civic Use Group, Sec. 6.3.4

1. Cemetery "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
2. Correctional Use - Custodial Facility "8", subject to: Sec. 3.5.3.4.B.1, .3.a, .4.b, .5.b, .8, .9, and .10 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and 5.4.3. (Ord. No. 9967, §2, 7/1/04)

C. Commercial Services Use Group, Sec. 6.3.5

1. Administrative and Professional Office "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
2. Alcoholic Beverage Service "29", subject to: Sec. 3.5.4.19.C and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
3. Animal Service "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
4. Automotive - Service and Repair "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
5. Billboard "32", subject to: Sec. 3.5.4.26, the Regulations of Chapter 3, Advertising and Outdoor Signs, of the Tucson Code, and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 8610, §1, 11/27/95; Ord. No. 9967, §2, 7/1/04)
6. Building and Grounds Maintenance "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)



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**Sec. 2.6.4.3**

7. Communications "29", subject to: Sec. 3.5.4.20.A and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04) (Ord. No. 8813, §1, 3/3/97)
  8. Communications "29", subject to: Sec. 3.5.4.20.B, .C, and .E.1, or Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.2, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)
  9. Construction Service "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  10. Day Care "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  11. Entertainment "29", subject to: Sec. 3.5.4.4.A, .B, .C, and .D, Sec. 3.5.4.19.C, and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  12. Financial Service "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  13. Food Service "29", subject to: Sec. 3.5.4.6.C and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  14. Funeral Service "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  15. Parking "38", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  16. Personal Service "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  17. Research and Product Development "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  18. Technical Service "29", subject to: Sec. 3.5.4.16.B and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  19. Trade Service and Repair, Major, "29", subject to: Sec. 3.5.4.15 and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  20. Trade Service and Repair, Minor, "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  21. Transportation Service, Land Carrier, "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
  22. Travelers' Accommodation, Lodging, "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
- (Ord. No. 8813, §1, 3/3/97)

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D. Industrial Use Group, Sec. 6.3.6

1. Craftwork "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
2. General Manufacturing "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
3. Perishable Goods Manufacturing "29", subject to: Sec. 3.5.5.2.A and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
4. Precision Manufacturing "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
5. Processing and Cleaning "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

E. Retail Trade Use Group, Sec. 6.3.10

1. Construction Material Sales "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
2. Food and Beverage Sales "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
3. General Merchandise Sales "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
4. Heavy Equipment Sales "29", subject to: Sec. 3.5.9.3 and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
5. Vehicle Rental and Sales "29", subject to: Sec. 3.5.9.5.A and .B and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 8653, §1, 2/26/96 ; Ord. No. 9967, §2, 7/1/04)

F. Storage Use Group, Sec. 6.3.11

1. Commercial Storage "29", subject to: Sec. 3.5.10.1 and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
2. Personal Storage "29", subject to: Sec. 3.5.10.3.C and .F and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9631, §1, 12/10/01; Ord. No. 9967, §2, 7/1/04)

G. Utilities Use Group, Sec. 6.3.12

1. Distribution System "29", subject to: Sec. 3.5.11.1.A, .B, .E, .H, .I, and .K and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

H. Wholesaling Use Group, Sec. 6.3.13

1. Business Supply and Equipment Wholesaling "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

2. Construction/Heavy Equipment Wholesaling "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
3. Food and Beverage Wholesaling "29", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

2.6.4.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. Home Occupations are permitted as Secondary Land Uses to Family Dwelling.

1. Home Occupation: General Application, subject to: Sec. 3.5.7.2

B. The following are permitted as Secondary Land Uses to Religious Use.

1. Civic Use Group, Sec. 6.3.4
  - a. Cemetery, subject to: Sec. 3.5.3.1.D
2. Industrial Use Group, Sec. 6.3.6
  - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §5, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

C. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.1.

D. The following is permitted as a Secondary Land Use to all uses in the Commercial Services and Retail Trade Use Groups and to Educational Use.

1. Industrial Use Group, Sec. 6.3.6
  - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §5, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

E. The following is permitted as a Secondary Land Use to Alcoholic Beverage Service.

1. Industrial Use Group, Sec. 6.3.6
  - a. Perishable Goods Manufacturing, subject to: Sec. 3.5.5.2.F, .G, and .H

(Ord. No. 8653, §1, 2/26/96)

2.6.4.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

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**DIVISION 7. INDUSTRIAL ZONES**

**SECTIONS:**

- 2.7.1 "P-I" PARK INDUSTRIAL ZONE**  
**2.7.2 "I-1" LIGHT INDUSTRIAL ZONE**  
**2.7.3 "I-2" HEAVY INDUSTRIAL ZONE**
- 

**2.7.1 "P-I" PARK INDUSTRIAL ZONE.**

2.7.1.1 Purpose. This zone provides for corporate business centers and for wholesaling and manufacturing activities that can be carried on in an unobtrusive, controlled manner.

2.7.1.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Industrial Use Group, Sec. 6.3.6

1. Craftwork "33", subject to: Sec. 3.5.5.1.B, .D, .E, .F, and .H
2. General Manufacturing "33", subject to: Sec. 3.5.5.1.B, .D, .E, .F, and .H
3. Motion Picture Industry "33", subject to: Sec. 3.5.5.1.A, .B, .D, .E, .F, and .H and Sec. 3.5.5.4
4. Perishable Goods Manufacturing "33", subject to: Sec. 3.5.5.2.A and .B and Sec. 3.5.5.1.B, .D, .E, .F, and .H (Ord. No. 8722, §1, 6/24/96)
5. Precision Manufacturing "33", subject to: Sec. 3.5.5.1.B, .D, .E, .F, and .H
6. Processing and Cleaning "33", subject to: Sec. 3.5.5.1.B, .D, .E, .F, and .H
7. Salvaging and Recycling "33", subject to: Sec. 3.5.5.1.B and Sec. 3.5.5.6.B, .D, and .E (Ord. No. 9915, §6, 11/24/03)

(Ord. No. 8864, §1, 4/28/97)

B. Commercial Services Use Group, Sec. 6.3.5

1. Administrative and Professional Office "33"
2. Communications "33", subject to: Sec. 3.5.4.20.A or Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
3. Day Care "33"
4. Financial Service "33"
  - a. Drive-through services are permitted as an outdoor activity.

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5. Food Service "33", subject to: Sec. 3.5.4.6.A and .C
  - a. Drive-through or drive-in services are permitted as an outdoor activity.
6. Medical Service - Outpatient "33", subject to: Sec. 3.5.4.8.B
7. Parking "33"
8. Personal Service "33"
9. Research and Product Development "33", subject to: Sec. 3.5.5.1.E, .F, and .H
10. Technical Service "33"
11. Travelers' Accommodation, Lodging, "33"
- C. Residential Use Group, Sec. 6.3.8
  1. Residential Care Services: Shelter Care - victims of domestic violence "33", subject to: Sec. 3.5.7.8.A, .C.3, and .D
  2. Residential Care Services: Rehabilitation Service or Shelter Care "33", subject to: Sec. 3.5.7.8.A, .C.4, .D, .E, and .F
- D. Retail Trade Use Group, Sec. 6.3.10
  1. Vehicle Rental and Sales "33", subject to: Sec. 3.5.9.5.B and .C
- E. Storage Use Group, Sec. 6.3.11
  1. Commercial Storage "33", subject to: Sec. 3.5.10.1 and Sec. 3.5.5.1.H
- F. Utilities Use Group, Sec. 6.3.12
  1. Distribution System "33", subject to: Sec. 3.5.11.1.A, .B, and .D
- G. Wholesaling Use Group, Sec. 6.3.13
  1. Business Supply and Equipment Wholesaling "33", subject to: Sec. 3.5.5.1.H
  2. Construction/Heavy Equipment Wholesaling "33", subject to: Sec. 3.5.5.1.H
  3. Food and Beverage Wholesaling "33", subject to: Sec. 3.5.5.1.H

2.7.1.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Retail Trade Use Group, Sec. 6.3.10

1. Swap Meets and Auctions "33", subject to: Sec. 3.5.9.4 and approval through a Limited Notice Procedure, Sec. 23A-40 (Ord. No. 9967, §2, 7/1/04)

B. Residential Use Group, Sec. 6.3.8

1. Residential Care Services: Rehabilitation Service or Shelter Care "33", subject to: Sec. 3.5.7.8.A, .C.4, .D, and .E and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

C. Commercial Services Use Group, Sec. 6.3.5

1. Communications "33", subject to: Sec. 3.5.4.20.B, .C, and .E.1 or .E.2, or Sec. 3.5.4.20.B, .C, and .E.3, or Sec. 3.5.4.20.B, .C, and .F.2, or Sec. 3.5.4.20.B, .C, and .G

(Ord. No. 8813, §1, 3/3/97; Ord. No. 9374, §1, 4/10/00)

D. Civic Use Group, Sec. 6.3.4

1. Educational Use: Elementary and Secondary Schools, limited to Grades 9 through 12, "34", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9075, §1, 6/15/98)

2.7.1.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

All of the uses listed are subject to Performance Criteria, Sec. 3.5.5.

- A. The following are permitted as Secondary Land Uses to the Land Use Classes permitted from the Wholesaling Use Group, Storage Use Group, and Industrial Use Group, limited to those products that are wholesaled, manufactured, or stored on the premises and further limited to twenty-five (25) percent of the total floor area but not to exceed twenty-five hundred (2,500) square feet.

1. Retail Trade Use Group, Sec. 6.3.10

- a. Construction Material Sales, subject to: Sec. 3.5.5.1.H
- b. Food and Beverage Sales, subject to: Sec. 3.5.5.1.H
- c. General Merchandise Sales, subject to: Sec. 3.5.5.1.H
- d. Heavy Equipment Sales, subject to: Sec. 3.5.5.1.H

- B. The following is permitted as a Secondary Land Use to Food Service or Travelers' Accommodation, Lodging, subject to: Sec. 3.5.4.7.A and .B and Sec. 3.5.4.19.C.

1. Commercial Services Use Group, Sec. 6.3.5

- a. Alcoholic Beverage Service

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- C. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.1.
- D. Family Dwelling is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.7.7.
- E. The following is permitted as a Secondary Land Use to all uses in the Commercial Services, Industrial, and Retail Trade Use Groups and to Educational Uses. (Ord. No. 9915, §6, 11/24/03)
  - 1. Industrial Use Group, Sec. 6.3.6
    - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §6, 11/24/03)

(Ord. No. 8864, §1, 4/28/97)

2.7.1.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

2.7.1.6 General Restrictions. The following restrictions apply to all land uses and development in this zone.

- A. Sec. 3.5.5.5.
- B. On land uses in the Industrial Use Group, traffic circulation must be designed so that access to the site is from a major street or from a local street which is not an internal residential neighborhood street and which does not provide access to residentially zoned areas unless no alternative exists. (Ord. No. 9078, §1, 6/22/98)



**2.7.2 "I-1" LIGHT INDUSTRIAL ZONE.**

2.7.2.1 Purpose. This zone provides for industrial uses, that do not have offensive characteristics, in addition to land uses allowed in more restrictive nonresidential zones.

2.7.2.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Industrial Use Group, Sec. 6.3.6

1. Craftwork "34", subject to: Sec. 3.5.5.1.B, .F, .G, and .H
2. General Manufacturing "34", subject to: Sec. 3.5.5.1.B, .F, .G, and .H
3. Motion Picture Industry "34", subject to: Sec. 3.5.5.1.A, .B, .E, .F, and .H and Sec. 3.5.5.4
4. Precision Manufacturing "34", subject to: Sec. 3.5.5.1.B, .F, .G, and .H
5. Processing and Cleaning "34", subject to: Sec. 3.5.5.1.B, .F, .G, and .H
6. Salvaging and Recycling "34", subject to: Sec. 3.5.5.6.B and .D (Ord. No. 8653, § 1, 2/26/96; Ord. No. 9915, § 6, 11/24/03)
7. Salvaging and Recycling, limited to household goods donation center, "34", subject to: Sec. 3.5.5.6.B and .F; Sec. 3.5.13.3; and Sec. 3.5.13.4

(Ord. No. 8864, § 1, 4/28/97; Ord. No. 9915, § 6, 11/24/03)

B. Civic Use Group, Sec. 6.3.4

1. Civic Assembly "34"
2. Cultural Use "34"
3. Educational Use: Instructional School "34"
4. Educational Use: Postsecondary Institution "34"
5. Membership Organization "34"
6. Postal Service "34"
7. Religious Use "34"

C. Commercial Services Use Group, Sec. 6.3.5

1. Administrative and Professional Office "34"
2. Alcoholic Beverage Service "34", subject to: Sec. 3.5.4.19.C
3. Animal Service "34"
4. Automotive - Service and Repair "34"

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5. Billboard "32", subject to: Sec. 3.5.4.26 and the Regulations of Chapter 3, Advertising and Outdoor Signs, of the Tucson Code (Ord. No. 8610, § 1, 11/27/95)
  6. Building and Grounds Maintenance "34"
  7. Communications "34", subject to: Sec. 3.5.4.20.A or Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, § 1, 3/3/97)
  8. Construction Service "34"
  9. Day Care "34"
  10. Entertainment "34", subject to: Sec. 3.5.4.4.A, .B, .C, and .D and Sec. 3.5.4.19.C
  11. Financial Service "34"
  12. Food Service "34", subject to: Sec. 3.5.4.6.C
  13. Funeral Service "34"
  14. Medical Service - Extended Health Care "34"
  15. Medical Service - Major "34"
  16. Medical Service - Outpatient "34", subject to: Sec. 3.5.4.8.B
  17. Parking "34"
  18. Personal Service "34"
  19. Research and Product Development "34"
  20. Technical Service "34"
  21. Trade Service and Repair, Major, "34", subject to: Sec. 3.5.4.15
  22. Trade Service and Repair, Minor, "34"
  23. Transportation Service, Land Carrier, "34"
  24. Travelers' Accommodation, Lodging, "34"
- D. Recreation Use Group, Sec. 6.3.7
1. Golf Course "1"
  2. Recreation "34"
- E. Residential Use Group, Sec. 6.3.8
1. Residential Care Services: Shelter Care - victims of domestic violence "35", subject to: Sec. 3.5.7.8.A, .C.3, and .D

2. Residential Care Services: Rehabilitation Service or Shelter Care "35", subject to: Sec. 3.5.7.8.A, .C.4, .D, .E, and .F

F. Restricted Adult Activities Use Group, Sec. 6.3.9, subject to: Sec. 3.5.8.1

All activity, including the display of any retail items, is to occur within a completely enclosed building and is not to be visible from the exterior.

1. Adult Commercial Services "34"
2. Adult Industrial Uses "34"
3. Adult Recreation "34"
4. Adult Retail Trade "34"

G. Retail Trade Use Group, Sec. 6.3.10

1. Construction Material Sales "34"
2. Food and Beverage Sales "34"
3. General Merchandise Sales "34"
4. Heavy Equipment Sales "34", subject to: Sec. 3.5.9.3
5. Swap Meets and Auctions "34", subject to: Sec. 3.5.9.4 (limited to Auctions only)
6. Vehicle Rental and Sales "34", subject to: Sec. 3.5.9.5.A

H. Storage Use Group, Sec. 6.3.11

1. Commercial Storage "34", subject to: Sec. 3.5.10.1
2. Personal Storage "34", subject to: Sec. 3.5.10.3.C and .F (Ord. No. 9631, §1, 12/10/01)

I. Utilities Use Group, Sec. 6.3.12

1. Distribution System "34", subject to: Sec. 3.5.11.1.A, .B, and .D

J. Wholesaling Use Group, Sec. 6.3.13

1. Business Supply and Equipment Wholesaling "34"
2. Construction/Heavy Equipment Wholesaling "34"
3. Food and Beverage Wholesaling "34"

(Ord. No. 8722, §1, 6/24/96)

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2.7.2.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Residential Use Group, Sec. 6.3.8

1. Family Dwelling "34", subject to: Sec. 3.5.7.10 and approval through a Limited Notice Procedure, Sec. 23A-40 (Ord. No. 9967, §2, 7/1/04)

B. Commercial Services Use Group, Sec. 6.3.5

1. Alcoholic Beverage Service - Large Bar "36", subject to: Sec. 3.5.4.19.B and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9967, §2, 7/1/04)
2. Communications "36", subject to: Sec. 3.5.4.20.B, .C, and .E.1 or .E.2, or Sec. 3.5.4.20.B, .C, and .E.3, or Sec. 3.5.4.20.B, .C, and .F.2, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97; Ord. No. 9374, §1, 4/10/00)
3. Entertainment - Dance Hall "36", subject to: Sec. 3.5.4.19.B and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9967, §2, 7/1/04)
4. Food Service, limited to a soup kitchen, "34", subject to: Sec. 3.5.4.6.D and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9967, §2, 7/1/04)
5. Medical Service - Outpatient, limited to a blood donor center, "34", subject to: Sec. 3.5.4.8.C and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 8722, §1, 6/24/96; Ord. No. 9967, §2, 7/1/04)

(Ord. No. 8813, §1, 3/3/97)

C. Retail Trade Use Group, Sec. 6.3.10

1. Swap Meets and Auctions "34", subject to: Sec. 3.5.9.4 and approval through Limited Notice Procedure, Sec. 23A-40 (Ord. No. 9967, §2, 7/1/04)
2. Food and Beverage Sales - Large Retail Establishment "34", subject to: Sec. 3.5.9.7 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9293, §1, 9/27/99; Ord. No. 9967, §2, 7/1/04)
3. General Merchandise Sales - Large Retail Establishment "34", subject to: Sec. 3.5.9.7 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9293, §1, 9/27/99; Ord. No. 9967, §2, 7/1/04)

D. Civic Use Group, Sec. 6.3.4

1. Correctional Use - Custodial Facility "34", subject to: Sec. 3.5.3.4.B.1, .3.a, .4.b, .5.b, .8, .9, and .10 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9967, §2, 7/1/04)
2. Correctional Use - Jail or Prison "34", subject to: Sec. 3.5.3.4.B.1, .3.e, .4.d, .5.c, .6.c, .7, .8, .9, and .10 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9967, §2, 7/1/04)

3. Educational Use: Elementary and Secondary Schools, limited to Grades 9 through 12, "34", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9075, §1, 6/15/98; Ord. No. 9967, §2, 7/1/04)

E. Industrial Use Group, Sec. 6.3.6

1. Perishable Goods Manufacturing "34", subject to: Sec. 3.5.5.1 and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9634, §2, 12/10/01)

2.7.2.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

- A. Family Dwelling is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.7.7.
- B. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.4.
- C. The following is permitted as a Secondary Land Use to all uses in the Commercial Services, Industrial, and Retail Trade Use Groups to Educational Use, and to Religious Use. (Ord. No. 9915, §6, 11/24/03)

1. Industrial Use Group, Sec. 6.3.6

- a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §6, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

D. The following is permitted as a Secondary Land Use to Alcoholic Beverage Service.

1. Industrial Use Group, Sec. 6.3.6

- a. Perishable Goods Manufacturing, subject to: Sec. 3.5.5.2.F, .G, and .H

(Ord. No. 8653, §1, 2/26/96)

2.7.2.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

2.7.2.6 General Restrictions. The following restrictions apply to all land uses and development in this zone.

A. Sec. 3.5.5.5.

- B. On land uses in the Industrial Use Group, traffic circulation must be designed so that access to the site is from a major street or from a local street which is not an internal residential neighborhood street and which does not provide access to residentially zoned areas unless no alternative exists. (Ord. No. 9078, §1, 6/22/98)

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**2.7.3 "I-2" HEAVY INDUSTRIAL ZONE.**

2.7.3.1 Purpose. This zone provides for industrial uses that are generally nuisances, making them incompatible with most other land use. These nuisances may be in the form of air pollutants; excessive noise, traffic, glare, or vibration; noxious odors; the use of hazardous materials; or unsightly appearance.

2.7.3.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Industrial Use Group, Sec. 6.3.6

1. Craftwork "35", subject to: Sec. 3.5.5.1
2. General Manufacturing "35", subject to: Sec. 3.5.5.1
3. Heavy Equipment Manufacturing "35", subject to: Sec. 3.5.5.1
4. Motion Picture Industry "35", subject to: Sec. 3.5.5.1
5. Perishable Goods Manufacturing "35", subject to: Sec. 3.5.5.1 and Sec. 3.5.5.2.A and .B (Ord. No. 8722, §1, 6/24/96)
6. Precision Manufacturing "35", subject to: Sec. 3.5.5.1
7. Processing and Cleaning "35", subject to: Sec. 3.5.5.1
8. Salvaging and Recycling "35", subject to: Sec. 3.5.5.6.B and .D (Ord. No. 8653, §1, 2/26/96; Ord. No. 9915, §6, 11/24/03)
9. Salvaging and Recycling, limited to household goods donation center, "35", subject to: Sec. 3.5.5.6.B and .F; Sec. 3.5.13.3; and Sec. 3.5.13.4

(Ord. No. 8582, §1, 9/25/95; Ord. No. 8722, §1, 6/24/96; Ord. No. 9915, §6, 11/24/03)

B. Commercial Services Use Group, Sec. 6.3.5

1. Administrative and Professional Office "35"
2. Automotive - Service and Repair "34" (Ord. No. 9138, §1, 10/5/98)
3. Billboard "32", subject to: Sec. 3.5.4.26 and the Regulations of Chapter 3, Advertising and Outdoor Signs, of the Tucson Code (Ord. No. 8610, §1, 11/27/95)
4. Building and Grounds Maintenance "35"
5. Communications "35", subject to: Sec. 3.5.4.20.A or Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
6. Day Care "35"
7. Financial Service "35"
8. Food Service "35"

9. Parking "35"
10. Research and Product Development "35"
11. Technical Service "35"
12. Trade Service and Repair, Major, "35", subject to: Sec. 3.5.4.15
13. Trade Service and Repair, Minor, "35"
14. Transportation Service, Land Carrier, "35"
15. Travelers' Accommodation, Lodging, "35"

(Ord. No. 8610, §1, 11/27/95; Ord. No. 8722, §1, 6/24/96; Ord. No. 9138, §1, 10/5/98)

C. Retail Trade Use Group, Sec. 6.3.10

1. Construction Material Sales "35"
2. General Merchandise Sales "35"
3. Heavy Equipment Sales "35", subject to: Sec. 3.5.9.3
4. Swap Meets and Auctions "35", subject to: Sec. 3.5.9.4
5. Vehicle Rental and Sales "35", subject to: Sec. 3.5.9.5.A (Ord. No. 8653, §1, 2/26/96)

(Ord. No. 8722, §1, 6/24/96)

D. Storage Use Group, Sec. 6.3.11

1. Commercial Storage "35"
2. Personal Storage "35", subject to: Sec. 3.5.10.3.C and .F (Ord. No. 9631, §1, 12/10/01)

(Ord. No. 8722, §1, 6/24/96)

E. Utilities Use Group, Sec. 6.3.12

1. Distribution System "35"

(Ord. No. 8722, §1, 6/24/96)

F. Wholesaling Use Group, Sec. 6.3.13

1. Business Supply and Equipment Wholesaling "35"
2. Construction/Heavy Equipment Wholesaling "35"

3. Food and Beverage Wholesaling "35"

(Ord. No. 8722, §1, 6/24/96)

G. Any Land Use Class not allowed as a Permitted Land Use or a Special Exception Land Use in any other zone or as a Special Exception Land Use within the I-2 zone, provided the Development Designator used is the one listed below for the respective use group.

1. Agricultural Use Group, Sec. 6.3.3, "30"
2. Civic Use Group, Sec. 6.3.4, "34"
3. Commercial Services Use Group, Sec. 6.3.5, "30"
4. Industrial Use Group, Sec. 6.3.6, "35", subject to: Sec. 3.5.5.1
5. Recreation Use Group, Sec. 6.3.7, "35"
6. Restricted Adult Activities Use Group, Sec. 6.3.9, "30"
7. Retail Trade Use Group, Sec. 6.3.10, "30"
8. Storage Use Group, Sec. 6.3.11, "35"
9. Utilities Use Group, Sec. 6.3.12, "35"
10. Wholesaling Use Group, Sec. 6.3.13, "35"

(Ord. No. 8722, §1, 6/24/96)

**Editor's Note:** Sec. 2.7.3.2.B was repealed by Ord. No. 8722, §1, adopted by Mayor and Council on June 24, 1996. As a result of this revision, the remaining Land Use Groups and Classes within this Section were realphabetized and renumbered for consistency with the remainder of the Code.

2.7.3.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Agricultural Use Group, Sec. 6.3.3

1. Stockyard Operation "35", subject to: Approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 8722, §1, 6/24/96)

B. Civic Use Group, Sec. 6.3.4

1. Correctional Use - Custodial Facility "35", subject to: Sec. 3.5.3.4.B.1, .3.a, .4.b, .5.b, .8, .9, and .10 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9967, §2, 7/1/04)



2. Correctional Use - Jail or Prison "35", subject to: Sec. 3.5.3.4.B.1, .3.e, .4.d, .5.c, .6.c, .7, .8, .9, and 10 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3; or

Correctional Use - Jail or Prison "35", subject to: Sec. 3.5.3.4.B.1, .6.b, .7, .8, .9, .10, Sec. 3.5.3.4.C, and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3

(Ord. No. 8722, §1, 6/24/96; Ord. No. 9239, §1, 6/14/99; Ord. No. 9967, §2, 7/1/04)

C. Commercial Services Use Group, Sec. 6.3.5

1. Alcoholic Beverage Service - Large Bar "36", subject to: Sec. 3.5.4.19.B and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9967, §2, 7/1/04)
2. Communications "36", subject to: Sec. 3.5.4.20.B, .C, and .E.1 or .E.2, or Sec. 3.5.4.20.B, .C, and .E.3, or Sec. 3.5.4.20.B, .C, and .F.2, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97; Ord. No. 9374, §1, 4/10/00)
3. Entertainment - Dance Hall "36", subject to: Sec. 3.5.4.19.B and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9967, §2, 7/1/04)
4. Medical Service - Outpatient, limited to a blood donor center, "34", subject to: Sec. 3.5.4.8.C and approval through a Zoning Compliance Review in accordance with Sec. 23A-31 (Ord. No. 9967, §2, 7/1/04)
5. Transportation Service, Air Carrier, "35", subject to: Approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 8722, §1, 6/24/96; Ord. No. 9967, §2, 7/1/04)

(Ord. No. 8722, §1, 6/24/96; Ord. No. 8813, §1, 3/3/97)

D. Industrial Use Group, Sec. 6.3.6

All of the uses listed below must be at least three hundred (300) feet from any nonindustrial zone, except where the use of the nonindustrially zoned property is railroad or freeway right-of-way, and are subject to any other conditions listed for the use.

1. Extraction "35", subject to: Sec. 3.5.5.3 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3
2. Hazardous Material Manufacturing "35", subject to: Sec. 3.5.5.1 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 8722, §1, 6/24/96)
3. Perishable Goods Manufacturing "35", subject to: Sec. 3.5.5.1 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 8722, §1, 6/24/96)
4. Primary Manufacturing "35", subject to: Sec. 3.5.5.1 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 8722, §1, 6/24/96)
5. Refining "35", subject to: Sec. 3.5.5.1 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3.
6. Salvaging and Recycling "35", subject to: Sec. 3.5.5.1 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3 (Ord. No. 9915, §6, 11/24/03)

(Ord. No. 8582, §1, 9/25/95; Ord. No. 8722, §1, 6/24/96; Ord. No. 9967, §2, 7/1/04)

E. Residential Use Group, Sec. 6.3.8

1. Residential Care Services: Rehabilitation Service or Shelter Care "35", subject to: Sec. 3.5.7.8.A, .C.4, .D, and .E and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53

(Ord. No. 8722, §1, 6/24/96; Ord. No. 9967, §2, 7/1/04)

F. Storage Use Group, Sec. 6.3.11

1. Hazardous Material Storage "35", subject to: Approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3

(Ord. No. 8722, §1, 6/24/96; Ord. No. 9967, §2, 7/1/04)

G. Utilities Use Group, Sec. 6.3.12

All of the uses listed below must be at least three hundred (300) feet from any nonindustrial zone, except where the use of the nonindustrially zoned property is railroad or freeway right-of-way, and are subject to any other conditions listed for the use.

1. Sanitation System "35", subject to: Sec. 3.5.5.1 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3

(Ord. No. 8582, §1, 9/25/95; Ord. No. 8722, §1, 6/24/96; Ord. No. 9967, §2, 7/1/04)

H. Wholesaling Use Group, Sec. 6.3.13

1. Hazardous Material Wholesaling "35", subject to: Approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3

(Ord. No. 8722, §1, 6/24/96; Ord. No. 9967, §2, 7/1/04)

**Editor's Note:** Sec. 2.7.3.3.F, .G, and .H, as added by Ord. No. 8722, §1, was adopted by Mayor and Council on June 24, 1996. As a result of these additions, these subsections and the remaining Land Use Groups and Classes within this Section were realphabetized and renumbered for consistency with the remainder of the Code.

I. Retail Trade Use Group, Sec. 6.3.10

1. General Merchandise Sales - Large Retail Establishment "35", subject to: Sec. 3.5.9.7 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3

(Ord. No. 9293, §1, 9/27/99; Ord. No. 9967, §2, 7/1/04)

2.7.3.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

All land uses listed are to comply with Performance Criteria, Sec. 3.5.5.

- A. Commercial Services Use Group, Sec. 6.3.5
  - 1. Medical Service - Major
  - 2. Medical Service - Outpatient
- B. Retail Trade Use Group, Sec. 6.3.10
  - 1. Food and Beverage Sales
- C. Family Dwelling is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.7.7.
- D. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. 3.5.10.2.A and .B.4.
- E. The following is permitted as a Secondary Land Use to all uses in the Commercial Services, Industrial, and Retail Trade Use Groups.
  - 1. Industrial Use Group, Sec. 6.3.6
    - a. Salvaging and Recycling, subject to: Sec. 3.5.5.6.A and .C (Ord. No. 9915, §6, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

2.7.3.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.

2.7.3.6 General Restrictions. The following restrictions apply to all land uses and development in this zone.

- A. Sec. 3.5.5.5.
- B. On land uses in the Industrial Use Group, traffic circulation must be designed so that access to the site is from a major street or from a local street which is not an internal residential neighborhood street and which does not provide access to residentially zoned areas unless no alternative exists. (Ord. No. 9078, §1, 6/22/98)

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**DIVISION 8. OVERLAY ZONES**

**SECTIONS:**

- 2.8.1 HILLSIDE DEVELOPMENT ZONE (HDZ)**
  - 2.8.2 SCENIC CORRIDOR ZONE (SCZ)**
  - 2.8.3 MAJOR STREETS AND ROUTES (MS&R) SETBACK ZONE**
  - 2.8.4 GATEWAY CORRIDOR ZONE**
  - 2.8.5 AIRPORT ENVIRONS ZONE (AEZ)**
  - 2.8.6 ENVIRONMENTAL RESOURCE ZONE (ERZ)**
  - 2.8.7 RESERVED**
  - 2.8.8 HISTORIC PRESERVATION ZONE (HPZ)**
  - 2.8.9 DRACHMAN SCHOOL OVERLAY (DSO) ZONE**
  - 2.8.10 RIO NUEVO AND DOWNTOWN (RND) ZONE**
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**2.8.1 HILLSIDE DEVELOPMENT ZONE (HDZ).**

- 2.8.1.1 Introduction. Tucson is surrounded by mountains. These mountainous areas exhibit steep slopes which may contain unstable rock and soils. Development on potentially unstable soils or rock can be hazardous to life and property. Development in these areas should utilize construction methods which ensure slope stabilization and minimize soil erosion.

Tucson's mountains and foothills are valuable scenic resources which should be preserved. Dominant peaks and ridges should be protected in order to preserve the city's unique visual setting, promote its economic well-being, and encourage tourism. Regulating the intensity of development according to the natural characteristics of hillside terrain, such as degree of slope, significant vegetation and landforms, and soil stability and existing drainage patterns, will allow for development in hillside areas while minimizing the physical impacts of such development.

- 2.8.1.2 Purpose. This zone provides for the reasonable use of hillside areas and related lands while protecting the public health, safety, and general welfare by:

- A. Determining whether certain types of soil conditions exist, such as loose or easily eroded soils or rocky soils which may require blasting, and utilizing appropriate engineering technology to result in stable slopes during and subsequent to development.
- B. Reducing water runoff, soil erosion, and rock slides by minimizing grading and by requiring revegetation.
- C. Permitting intensity of development compatible with the natural characteristics of hillside terrain, such as degree of slope, significant landforms, soil suitability, and existing drainage patterns.
- D. Preserving the scenic quality of the desert and mountain environment through the retention of dominant peaks and ridges in their natural states.
- E. Reducing the physical impact of hillside development by encouraging innovative site and architectural design, minimizing grading, and requiring restoration of graded areas.
- F. Providing safe and convenient vehicular access by encouraging development on the less steeply sloped terrain.

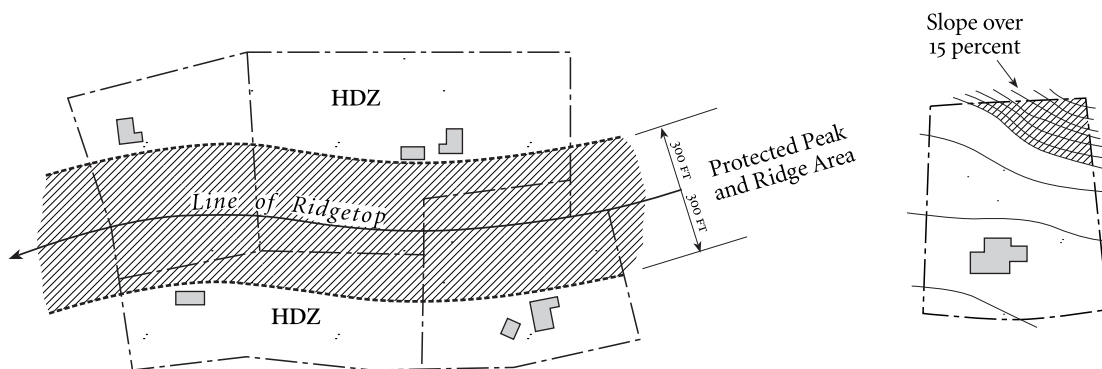
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- G. Promoting cost-efficient public services by encouraging development on the less steeply sloped terrain, thereby minimizing service extensions and utility costs and maximizing access for all necessary life safety services.

2.8.1.3 Applicability. The provisions of the Hillside Development Zone (HDZ) apply to development in the areas listed below. (*See Illustration 2.8.1.3.*)

- A. *Protected Peak and Ridge Areas*. Any lot or parcel containing protected peak and ridge areas designated for protection by the Mayor and Council, as shown on the City Zoning Maps.
- B. *Slope Areas of Fifteen (15) Percent or Greater*. Any lot or parcel containing slopes of fifteen (15) percent or greater, as shown on the HDZ Maps. Methods of analyzing slope are given in Development Standard 9-10.0. (Ord. No. 9967, §2, 7/1/04)

The whole parcel is included if any portion is within the Protected Peak and Ridge Area or the slope on any portion is over 15 percent.



**2.8.1.3 Applicability of Hillside Development Zone (HDZ)**

- C. *Approved Subdivisions*. Any recorded subdivision plat approved in compliance with the Pima County HDZ or the City of Tucson HDZ may be developed in compliance with the conditions and stipulations as approved. If the plat is resubdivided, it must comply with all provisions of the HDZ currently in effect.
- D. *Exceptions*.
1. The HDZ regulations do not apply to any lot or parcel located within the city limits south of the Rillito River/Tanque Verde, east of the Silverbell Road-Congress Street-Grande Avenue-Mission Road alignment, west of Harrison Road, and north of the Los Reales-Interstate 10 alignment, unless otherwise identified on the HDZ maps.
  2. The HDZ regulations do not apply to vacant residentially-zoned lots or parcels, legally created as of September 15, 1980, and containing an area of sixteen thousand (16,000) square feet or less, unless, after July 19, 1989, the lot or parcel is divided into two (2) or more parcels or used for other than one (1) single-family dwelling.

3. The Hillside Development Zone (HDZ) regulations do not apply to lots or parcels annexed from Pima County which were exempt from the Pima County HDZ at the time of annexation, unless the lot or parcel is divided into two (2) or more parcels or used for other than one (1) single-family dwelling.
  4. The density restrictions of Sec. 2.8.1.6 do not apply to any lot or parcel which was zoned R-1, R-2, R-3, or R-4 and located within the city limits prior to December 10, 1979, unless the lot or parcel is divided into two (2) or more parcels or used for other than one (1) single-family dwelling.
  5. The Hillside Development Zone (HDZ) regulations do not apply in the following situations if the structure or vehicular circulation area existed prior to September 15, 1980.
    - a. Any addition to a structure which does not exceed one thousand (1,000) square feet or twenty-five (25) percent of the enclosed area of the structure, whichever is greater. Additions are to be cumulative after September 15, 1980.
    - b. Any alteration of, or addition to, a vehicular circulation area which does not exceed one thousand (1,000) square feet or twenty-five (25) percent of the existing vehicular circulation area, whichever is greater. Additions are to be cumulative after September 15, 1980.
    - c. Any paving of an existing vehicular circulation area.
- E. *Designation, amendment, or change of boundaries for a Hillside Development Zone, a Protected Peak or Ridge.*
1. *Designation.* The Mayor and Council may designate new property as subject to this Hillside Development Zone or a new peak or ridge for protection by the establishment of a three hundred (300) foot setback. Consideration shall be in accordance with the Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. The change to an existing designation, amendment to or change of the boundaries of an existing HDZ area shall be through the same process.
  2. *Criteria for Designation.* Peaks or ridges or new HDZ areas designated for protection must:
    - a. Have been designated by Pima County as a Hillside Development Zone or as a protected peak or ridge prior to annexation by the City; or
    - b. Contain significant slopes which should be protected; or
    - c. Be significant in relationship to the surrounding property; or
    - d. Be highly visible from lower elevations; or
    - e. Form a silhouette against the sky when viewed from a Scenic Route.

(Ord. No. 9967, §2, 7/1/04)

2.8.1.4 Permitted Uses. Any use permitted by the underlying zone is allowed.

2.8.1.5 Review Required. All subdivisions and all development on any lot or parcel identified on the Hillside Development Zone (HDZ) Maps as an HDZ lot or parcel must be reviewed and approved as specified in this Section.

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- A. *Subdivision.* Proposed subdivisions are required to comply with this Section and Development Standard 9-01.0. The subdivision plat will be reviewed in accordance with the DSD Full Notice Procedure, Sec. 23A-50 and 23A-51. Hillside Development Zone (HDZ) documentation can be reviewed concurrently with the plat. The subdivision procedures are also provided in Development Standard 2-03.0.
- B. *Other Development.* Proposed development projects, other than subdivisions, require submittal of a plan complying with the requirements of this Section and Development Standard 9-01.0 for review in accordance with the DSD – Full Notice Procedure, Sec. 23A-50 and 23A-51.

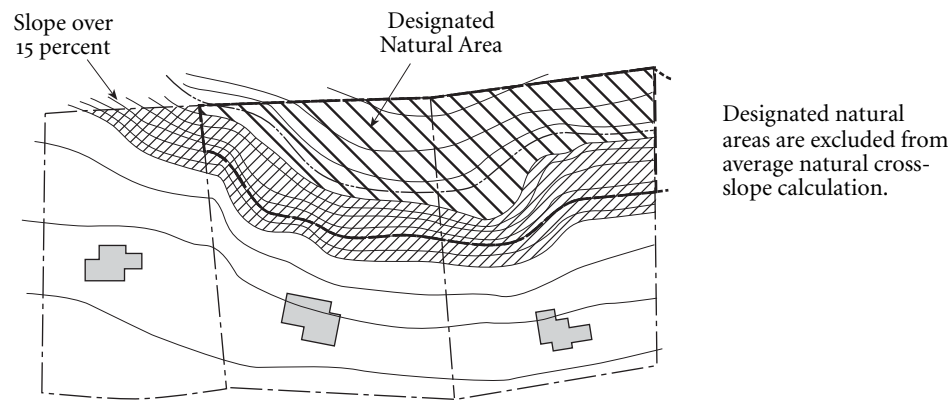
(Ord. No. 9392, §1, 5/22/00; Ord. No. 9967, §2, 7/1/04)

2.8.1.6 Development Criteria. The following development criteria apply to lots and parcels that are affected by this zone. Any lot or parcel created must meet the slope/size requirements of Table 2.8.1-I except as provided below. All development is subject to a three hundred (300) foot setback from each protected peak or ridge as delineated on the City Zoning Maps.

A. *Single-Family Residential Development.*

1. *Existing Lot or Parcel Where No Land Division Occurs.* The average natural cross-slope (ACS) is calculated for the entire lot or parcel. If the ACS is fifteen (15) percent or greater, Columns A, B, and D of Table 2.8.1-I apply. If the minimum land area required for the lot or parcel, based on the ACS, is greater than the area of the lot or parcel, natural areas may be designated on the lot or parcel, in accordance with Sec. 2.8.1.7, to reduce the ACS percentage. Such designated natural areas will be excluded from the ACS calculation but will be included in the land area for the lot or parcel. (*See Illustration 2.8.1.6.*)
2. *Existing Lot or Parcel Where Land Division Occurs.* The average natural cross-slope is calculated for the entire lot or parcel. If the ACS is fifteen (15) percent or greater, Columns A and C of Table 2.8.1-I apply. Natural areas may be designated on the lot or parcel in accordance with Sec. 2.8.1.7 to reduce the ACS percentage. Such natural areas will be excluded from the ACS calculation but will be included in the land area for the lot or parcel. (*See Illustration 2.8.1.6.*)
  - a. If the land division requires a subdivision plat, all areas of fifteen (15) percent or greater slope within the lot or parcel, except within natural areas, are delineated. These sloped areas then determine the design of the development according to the following criteria.
    1. For any proposed lot within the parcel where the areas of fifteen (15) percent or greater slope are located outside the buildable area, the minimum lot size requirements of the underlying zone apply. The buildable area may be redefined to exclude areas of steeper slope in order to comply with this requirement. Grading may occur only within the buildable area and access to the buildable area. Grading for access may cross a delineated sloped area.
    2. For any proposed lot within the parcel where the buildable area contains areas of fifteen (15) percent or greater slope, the minimum size required for that lot is one (1) acre unless a greater size is required by the underlying zone. The amount of grading permitted is indicated in Column D of Table 2.8.1-I, based on the area of the lot, Column B.
    3. Yard setbacks for the applicable zone are applied to the entire parcel or to each lot within the parcel if the parcel is divided into lots.
  - b. If a subdivision plat is not submitted, the land area of each lot created must comply with Columns A, B, and D of Table 2.8.1-I.





**2.8.1.6 Natural Areas in HDZ**

**B. Multifamily Residential Development.**

1. The ACS is calculated for the entire lot or parcel. If the ACS is fifteen (15) percent or greater, Columns A, B, C, and D of Table 2.8.1-I apply.
2. Natural areas may be designated on the lot or parcel, in accordance with Sec. 2.8.1.7, to reduce the ACS percentage. Such natural areas will be excluded from the ACS calculation but will be included for the density calculation. (See Illustration 2.8.1.6.)
  - a. If the ACS of the remaining portion of the lot or parcel is less than fifteen (15) percent and contains no areas of fifteen (15) percent or greater slope, one hundred (100) percent of that portion may be graded, subject to Development Standard 9-04.0.
  - b. If the ACS of the remaining portion of the lot or parcel is less than fifteen (15) percent but contains areas of fifteen (15) percent or greater slope, eighty (80) percent of that portion may be graded.
  - c. If the ACS of the remaining portion of the lot or parcel is fifteen (15) percent or greater, Columns B, C, and D of Table 2.8.1-I apply, based on the entire area of the lot or parcel.

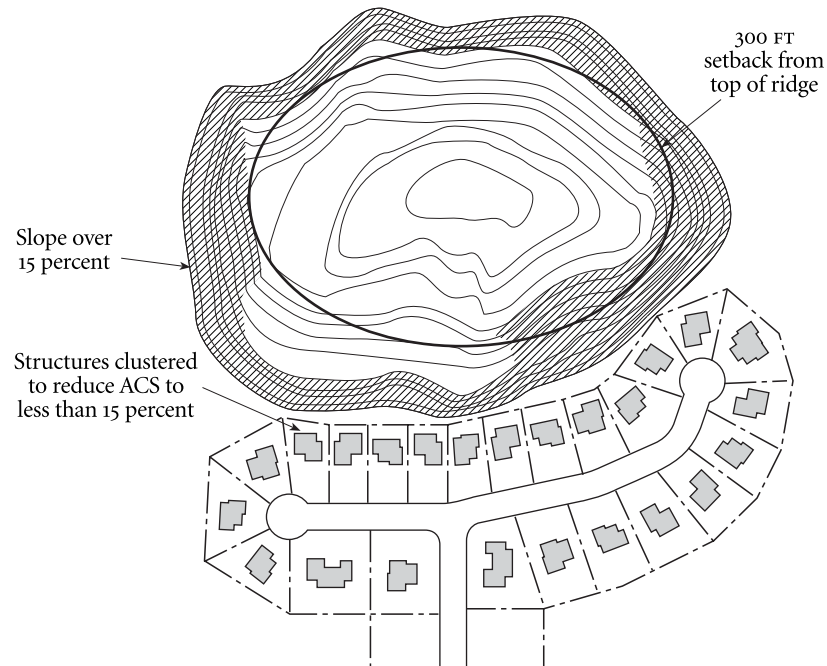
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TABLE 2.8.1-I			
A	B	C	D
Average Natural Cross Slope (Percent)	Minimum Area* Acre	Density*	Maximum Grading (Percent)
Less Than 15	As Permitted by Underlying Zoning		
15.0-15.9	1.00	1.00	40.0
16.0-16.9	1.00	1.00	40.0
17.0-17.9	1.25	0.80	32.0
18.0-18.9	1.37	0.73	29.2
19.0-19.9	1.50	0.67	21.3
20.0-20.9	2.00	0.50	20.0
21.0-21.9	2.25	0.44	17.7
22.0-22.9	2.50	0.40	16.0
23.0-23.9	3.50	0.29	13.3
24.0-24.9	4.50	0.22	11.9
25.0-25.9	6.00	0.17	9.3
26.0-26.9	7.00	0.14	9.3
27.0-27.9	8.60	0.12	9.3
28.0-28.9	10.40	0.09	9.3
29.0-29.9	12.80	0.08	9.3
30.0-30.9	16.00	0.06	8.8
31.0-31.9	23.50	0.04	6.7
32.0-32.9	31.00	0.03	6.7
33.0 and Greater	36.00	0.027	4.0

\*Or as permitted by underlying zoning, whichever is more restrictive.

C. *Residential Cluster Development.* The purpose of the cluster option in the HDZ is to preserve the sloped areas while encouraging development on the flatter portions of a lot or parcel. Cluster development must meet the requirements of Sec. 3.6.1, Residential Cluster Project (RCP), as well as the following criteria. (See Illustration 2.8.1.6.C.)

1. All structures must be located outside the three hundred (300) foot protected peak or ridge setback area, and the protected area must be preserved as a natural area as listed in Sec. 2.8.1.7.
2. The cluster provision application may be used for either single-family or multifamily development. In order to apply the cluster option, the ACS of the area to be developed must be less than fifteen (15) percent. This may require excluding steeper slopes as natural areas in order to reduce the ACS of the remaining portion. Such natural areas will be excluded from the ACS calculation but will be included for density calculation.
  - a. One hundred (100) percent of the remaining portion may be graded, subject to Development Standard 9-01.0. (Ord. No. 9967, §2, 7/1/04)
  - b. Density is regulated by the underlying zone, based on the entire area.
  - c. Individual lot boundaries may include the natural areas.



**2.8.1.6.C Residential Cluster Development in HDZ**

**D. *Nonresidential Development.***

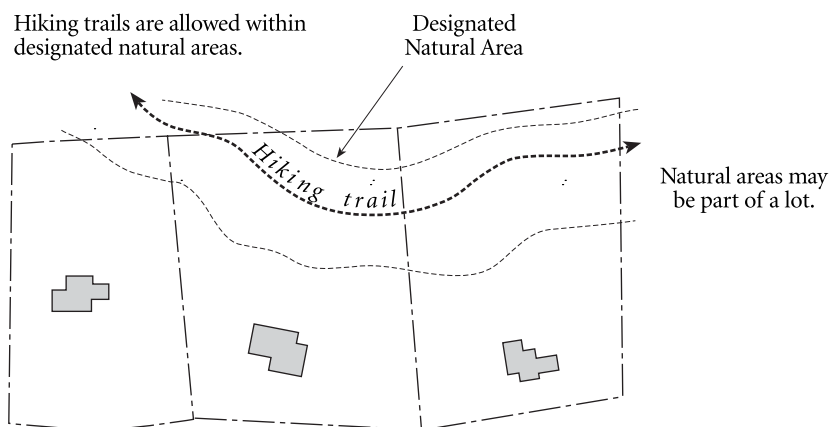
1. The ACS is calculated for the entire lot or parcel. If the ACS is fifteen (15) percent or greater, Columns A, B, and D of Table 2.8.1-I apply. Column C does not apply.
2. Natural areas may be designated on the lot or parcel, in accordance with Sec. 2.8.1.7, to reduce the ACS percentage.
  - a. If the ACS of the remaining portion of the lot or parcel is less than fifteen (15) percent and contains no areas of fifteen (15) percent or greater slope, one hundred (100) percent of that portion may be graded, subject to Development Standard 9-01.0. (Ord. No. 9967, §2, 7/1/04)
  - b. If the ACS of the remaining portion of the lot or parcel is less than fifteen (15) percent but contains areas of fifteen (15) percent or greater slope, eighty (80) percent of that portion may be graded.
  - c. If the ACS of the remaining portion of the lot or parcel is fifteen (15) percent or greater, Columns B and D of Table 2.8.1-I apply, based on the entire area of the lot or parcel.

**E. *Mixed Development.*** When a mix of development is proposed, each type of development must meet all criteria for that development, as required by this Section.

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2.8.1.7 Natural Areas. Natural areas may be designated on any lot or parcel, subject to the following criteria.

- A. Development other than hiking trails will not be permitted within the legally described boundaries of a natural area. (*See Illustration 2.8.1.7.*)

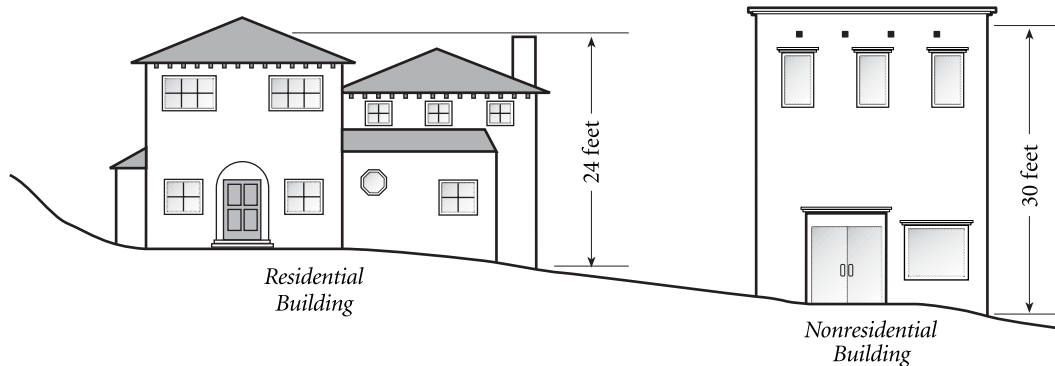


**2.8.1.7 Hiking Trails in Designated Natural Areas in HDZ**

- B. The natural area will be delineated in a surveyable manner on the tentative and final plats of a subdivision or on the development plan required for development other than a subdivision and designated by legal description on a document recorded with the Pima County Recorder for a lot division.
- C. A natural area may be designated as a deed-restricted portion of a privately-owned lot or as a separate parcel. This parcel may be under the ownership of a homeowners' association or deeded to any organization willing to accept responsibility for the perpetual preservation of the natural area, subject to approval and acceptance by the City of Tucson. (*See Illustration 2.8.1.6.*)
- D. To protect the natural areas, covenants which run with the land will be provided in favor of the City of Tucson and of all owners with record interest in the natural area.
- E. If natural areas are designated, then at least one (1) such natural area, if in a parcel of four (4) acres or more in size, shall be at least one-half ( $\frac{1}{2}$ ) acre in size or immediately adjacent and contiguous to other land also designated as natural area which, in the aggregate, is at least one-half ( $\frac{1}{2}$ ) acre in size. Sec. 2.8.1.7 applies only to natural areas and not to other common areas and open spaces, such as recreation areas, road medians, etc., which are not designated as required natural area.

2.8.1.8 Hillside Site Improvement Standard.

- A. *Building Height.* Buildings are limited to a building height of twenty-four (24) feet for residential development and thirty (30) feet for nonresidential development or the maximum height permitted by the underlying zone, whichever is more restrictive. If the building also falls within the boundaries of other overlay zones, the more restrictive of the requirements applies. (*See Illustration 2.8.1.8.*)



#### 2.8.1.8 Building Height

- B. *Site Improvement Standard.* All proposed site work, including grading, will comply with Development Standard 9-01.0. (Ord. No. 9967, §2, 7/1/04)
- C. *Color.* All exposed exterior walls and roofs of structures, retaining walls, and accessory structures, except satellite dishes, shall be earth tone in color and will blend with the predominant natural colors found on the lot or parcel. Satellite dishes may be black. White is not permitted.

2.8.1.9 Maintenance and Protection. Measures may be required prior to approval of a subdivision plat or issuance of building permits, such as covenants, assurances, or homeowners' associations, as may be necessary to ensure the long-term maintenance of slope control measures. (Ord. No. 9392, §1, 5/22/00)

#### 2.8.1.10 Enforcement.

- A. The developer and/or property owner will be responsible for the following.
1. Submitting average natural cross-slope and sloped area analyses, certified by an Arizona registered professional, such as an engineer, land surveyor, architect, or landscape architect, for review and verification by the City Engineer or designee. (Ord. No. 9392, §1, 5/22/00)
  2. Surveying, staking, and inspection of the lot or parcel by a certified engineer or land surveyor to determine compliance with the provisions of this Section.
  3. On-site enforcement by certifying to the City Engineer or designee that the development complies with the Hillside Development Zone (HDZ) regulations during the period of development. (Ord. No. 9392, §1, 5/22/00)
- B. If violation of any provision of the HDZ occurs, the property owner will be responsible for bringing the violation into compliance with the requirements of this zone. This may require restoration of the site as closely as possible to its original undisturbed condition, topography, and vegetation, in order to remove the violation.

2.8.1.11     Reserved.

2.8.1.12     Variances. A request for a variance from the three hundred (300) foot setback from a protected peak or ridge as provided for in Sec. 2.8.1.6 shall meet, in addition to the findings required for a variance, the following conditions. Consideration shall be in accordance with the Board of Adjustment Full Notice Procedure, Sec. 23A-50 and Sec. 23A-52. (Ord. No. 9179, § 1, 12/14/98; Ord. No. 9967, § 2, 7/1/04)

- A.    The proposed development is for a single-family residence.
- B.    The only area to be graded within the protected peak and ridge setback area is for a building pad and access to the building.
- C.    The visible external portion of the building or structure, except for doors, windows, and mechanical equipment, shall be constructed of materials which will blend with the predominant natural colors found on the lot or parcel.
- D.    The highest portion of the structure shall be no higher than the elevation of the peak or ridge.
- E.    No more than six (6) feet of the external portion of the structure shall be exposed, except at points of ingress and egress.
- F.    All utilities on the lot or parcel shall be located underground.
- G.    The project shall be designed so that glass surfaces do not reflect beyond the lot or parcel boundaries. This can be accomplished by methods such as using nonreflective glass or providing overhangs or other window shading, structural elements, or landscaping which, when mature, will screen windows.

**2.8.2 SCENIC CORRIDOR ZONE (SCZ).**

2.8.2.1 Introduction. Tucson is located on a magnificent city site, with mountain ranges in all directions and attractive foothills leading up to the mountains. This setting is a scenic resource of great value for the city, for its inhabitants, and for its economy. Specifically, beautiful surroundings help to attract tourists to the city, and nationwide experience indicates that the most desirable new sources of employment have been locating in areas with the most attractive environments. Preservation of scenic resources is, therefore, important for both aesthetic and economic reasons. These valuable scenic resources include views up to and into the mountains, including the mountain profiles and their foothills, and views from the mountains across the valley. They also include significant natural vegetation and geological formations along designated Scenic Routes.

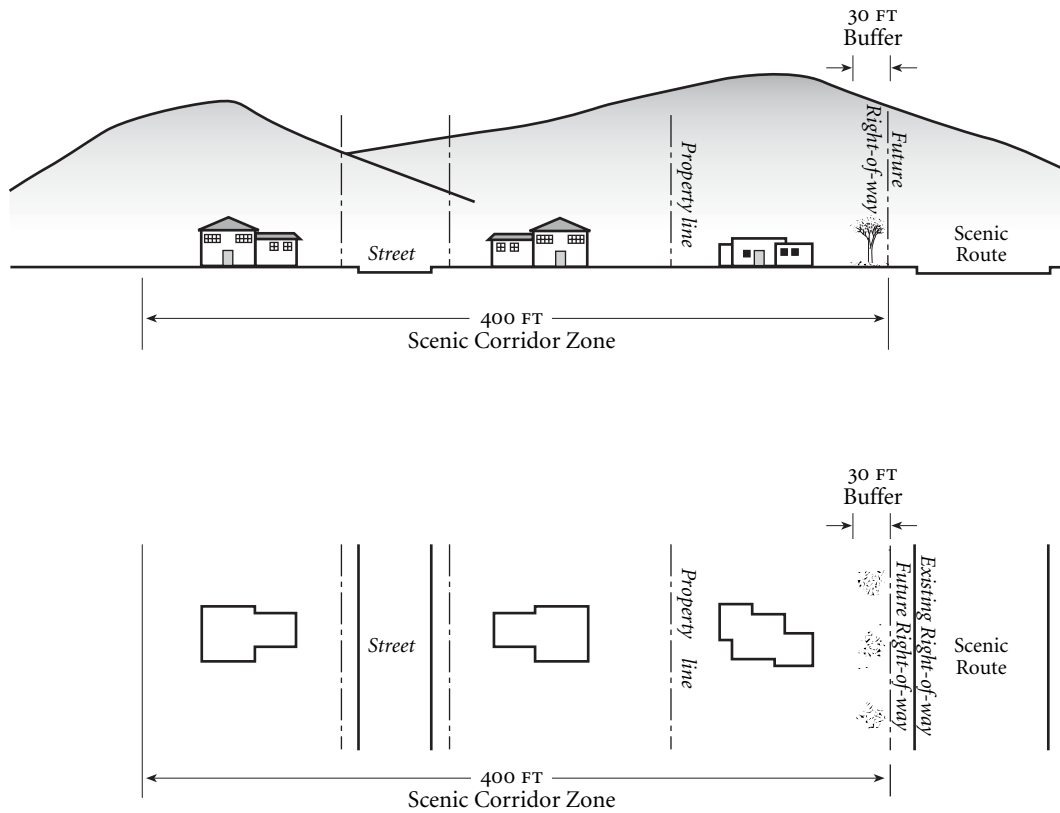
2.8.2.2 Purpose. To protect the city's unique visual setting and promote its economic well-being, performance regulations are required to assure design sensitivity to the natural scenic quality. These regulations are established to provide for the preservation of:

- A. Views of prominent mountain ridge lines that form the limits of scenic viewsheds and provide a natural backdrop for sensitively designed development.
- B. Viewsheds which provide the observer with a visual perspective of the area in terms of foreground, middle ground, and background.
- C. The scenic quality of the desert and mountain environment through the retention of native vegetation and natural topography.
- D. View windows through an aesthetic screening or siting of developmental elements that are incompatible with the natural qualities of the surrounding area.

2.8.2.3 Applicability. The provisions of the Scenic Corridor Zone (SCZ) apply to any portion of all real properties or parcels which are within four hundred (400) feet of the future right-of-way line of any Scenic Route designated on the Major Streets and Routes (MS&R) Plan. (*See Illustration 2.8.2.3.*)

- A. Utility facilities constructed or installed pursuant to a certificate of environmental compatibility issued prior to the adoption of this Section, under the authority of Arizona Revised Statutes (ARS), Title 40, Chapter 2, Article 6.2, are exempt from the provisions of this Section.
- B. On street intersections where both the SCZ and the Gateway Route overlap, the applicability of the SCZ starts seven hundred (700) feet from the Gateway Route future right-of-way line. The requirements of the Gateway Route are applicable within the described seven hundred (700) feet.
- C. Designation, amendment, or change of boundaries for a Scenic Corridor Zone are established through the amendment to the designation on the MS&R Map in accordance with Sec. 2.8.3.3. (Ord. No. 9967, §2, 7/1/04)

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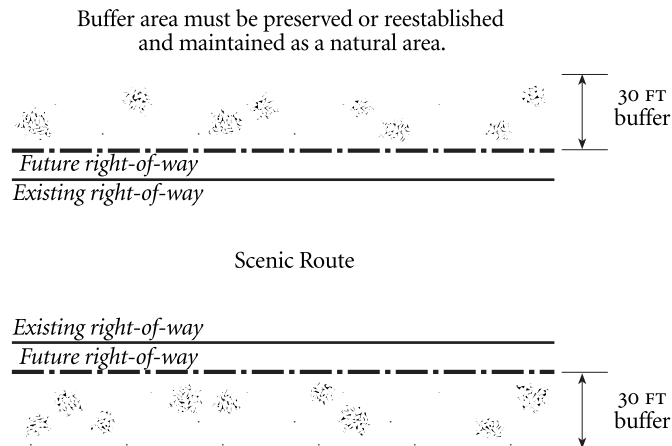


**2.8.2.3 Scenic Corridor Zone**

**2.8.2.4 Preservation and Reestablishment of Vegetation.**

- A. A buffer area thirty (30) feet wide, adjacent to the MS&R right-of-way line, is to be preserved and maintained in its natural state. The buffer area shall be in lieu of the landscape border required along street frontages under Sec. 3.7.0, Landscaping and Screening Regulations. (*See Illustration 2.8.2.4.A.*)
- B. All landscaping, including preservation and reestablishment of native vegetation, shall comply with Sec. 3.7.5.2, Scenic Routes.

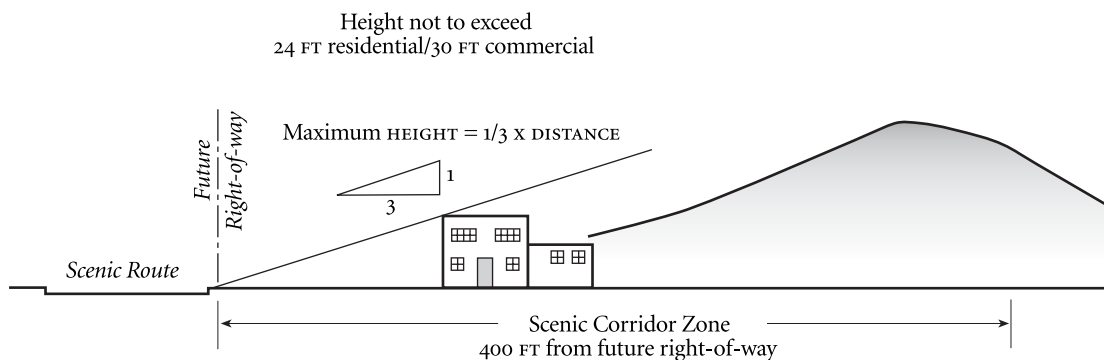




**2.8.2.4.A Preservation and Reestablishment of  
Vegetation Adjacent to Scenic Route**

**2.8.2.5 Structure Height.**

- A. The maximum height of a structure will be one-third (1/3) the distance of the structure from the future right-of-way line, with the following exceptions. (*See Illustration 2.8.2.5.*)
1. Principal structures, with a maximum height of twelve (12) feet zero (0) inches, may be constructed anywhere within the buildable area of the parcel.
  2. Nonresidential structures may not exceed thirty (30) feet in height.
  3. Residential structures will not exceed twenty-four (24) feet in height.
- B. Where there is a conflict between these structure height regulations and those of the existing underlying zone or Hillside Development Zone (HDZ), if applicable, whichever is most restrictive will apply.



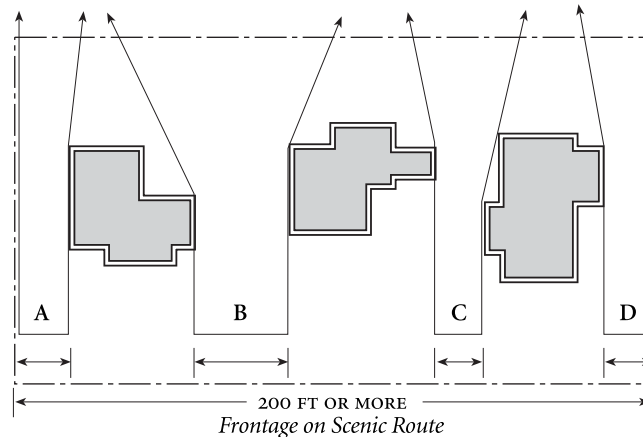
**2.8.2.5 Maximum Structure Height  
in Scenic Corridor Zone**

2.8.2.6 Siting.

- A. Siting of structures will be such that existing natural topography and vegetation is minimally disturbed. No grading beyond that necessary for siting of buildings, parking, private yards, and structural improvements will be allowed. All existing vegetation with a caliper of four (4) inches or greater and all saguaro cacti must be preserved or relocated on the site.
- B. Any development site which has at least two hundred (200) feet of frontage along a Scenic Route will have view corridors, with a combined width of at least twenty (20) percent of that frontage, which allow vision from at least one (1) point into and through that portion of the project that lies within the SCZ, from the Scenic Route. (*See Illustration 2.8.2.6.B.*)

View corridors must have a combined width of  
at least 20 percent of the width of the frontage.

$$\frac{A+B+C+D}{\text{WIDTH OF FRONTAGE}} = 20 \text{ PERCENT OR MORE}$$



**2.8.2.6.B View Corridors in Scenic Corridor**

- C. Drainageways are to be maintained in their natural states where possible, and the discretionary authority shall be exercised only under unusual circumstances. In situations where the discretionary authority is exercised by the City Engineer or designee, modifications will be in accordance with the "Floodplain and Erosion Hazard Area Regulations." (Ord. No. 9392, §1, 5/22/00)

2.8.2.7 Parking Areas. Landscaping and screening of parking areas shall comply with Sec. 3.7.2.3, Vehicular Use Areas.

2.8.2.8 Screening. Screening shall comply with Sec. 3.7.3, Screening Requirements.

2.8.2.9 Utilities.

- A. All new utilities for development on private property and on public right-of-way along Scenic Routes will be underground.

Where possible, existing poles will be used to provide the required transition to underground service to new developments adjacent to scenic corridors. However, a new pole set in line with the existing overhead system, when necessary to serve approved new developments, shall not be deemed to be a new utility. Upgrades and reinforcements of existing overhead facilities are allowed to the extent that the total number of electrical circuits or communication cables is not increased. Relocation of overhead utility facilities required by public improvement districts along scenic corridors will conform with existing franchise requirements.

- B. Where an existing development is expanded by fifty (50) percent or more in floor area or land area, new and existing utilities to all portions of the development will be located underground. Incremental expansion will be cumulative. Additions to single-family dwellings are exempt.

2.8.2.10 Additional Design Considerations.

- A. Building or structure surfaces, which are visible from the Scenic Route, will have colors which are predominant within the surrounding landscape, such as desert and earth tones. Single-family dwellings, except in subdivisions recorded after May 28, 1985, are exempt.
- B. Fencing and freestanding walls facing the Scenic Route will meet the material restrictions in Sec. 3.7.3, Screening Requirements.
- C. Regulations for signs are stipulated in Section 3-32, Scenic Route District, of Chapter 3, Advertising and Outdoor Signs, of the *Tucson Code*, and are further supplemented by the following.
  - 1. On any conflict in requirements between this Section and Section 3-32, the more strict of the two prevails.
  - 2. Signs are to use those colors which are predominant within the surrounding landscape, such as desert and earth tones.
  - 3. No commercial advertising sign, except a sign pertaining to a use conducted on the premises or a sign advertising the sale or lease of the property upon which the sign is located, and no billboard shall be erected within four hundred (400) feet of the right-of-way line on any street or route designated as "scenic" on the major thoroughfare system approved and adopted by the Mayor and Council.

2.8.2.11 Site Design Review. Applications for projects within the Scenic Corridor Zone (SCZ) shall be reviewed in accordance with the DSD Full Notice Procedure, Sec. 23A-50 and 23A-51. (Ord. No. 9392, § 1, 5/22/00; Ord. No. 9967, § 2, 7/1/04)

- A. At the request of the Development Services Department (DSD) Director or applicant, the Design Review Board (DRB) shall review building elevations, landscaping, parking areas, and other contributing design features to substantiate compliance with the criteria required in making a decision. (Ord. No. 9392, § 1, 5/22/00; Ord. No. 9967, § 2, 7/1/04)
- B. The decision to approve or deny the project will be based on the purpose, intent, and specific regulations of this Section, on the objectives specified in the *Major Streets and Routes (MS&R) Plan* for scenic corridor development, and on the following criteria which provide for the preservation of: (Ord. No. 9392, § 1, 5/22/00)
  - 1. Views of prominent mountain ridge lines that form the limits of scenic viewsheds and provide a natural backdrop for sensitively designed development.

2. Viewsheds which provide the observer with a visual perspective of the area in terms of foreground, middle ground, and background.
3. The scenic quality of the desert and mountain environment through the retention of native vegetation and natural topography.
4. View windows through an aesthetic screening or siting of developmental elements that are incompatible with the natural qualities of the surrounding area.

2.8.2.12 Submittals. Submittals shall be in compliance with requirements established in Development Standard 9-02.2.1. (Ord. No. 9392, §1, 5/22/00; Ord. No. 9967, §2, 7/1/04)

2.8.2.13 Grading. No grading can occur until thirty (30) days prior to construction. Construction plans must be in the review process for permits, or construction permits must have already been issued. Grading permits are to cover only those areas for which building permits are granted.

2.8.2.14 Variances. The Design Review Board (DRB) shall review all requests for variances from Scenic Corridor Zone (SCZ) regulations as provided in Sec. 5.1.8.3.B and shall forward its recommendations in accordance with Sec. 5.1.8.2.F. (Ord. No. 9179, §1, 12/14/98; Ord. No. 9392, §1, 5/22/00; Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9392, §1, 5/22/00)

**2.8.3 MAJOR STREETS AND ROUTES (MS&R) SETBACK ZONE.**

2.8.3.1 Purpose. The purpose of this overlay zone is to implement policies in the City's *General Plan*, the Regional Transportation Plan, and the Air Quality Plan, with specific emphasis on the Major Streets and Routes (MS&R) Plan. The MS&R Plan projects the future arterial and collector street needs of the community and is a tool to implement the development of a safe and efficient street system and the design of all land uses serviced by that system, while assuring the economic viability of new and expanding land uses and the continued economic stability of the community. These goals are achieved by providing for the: (Ord. No. 9517, §2, 2/12/01)

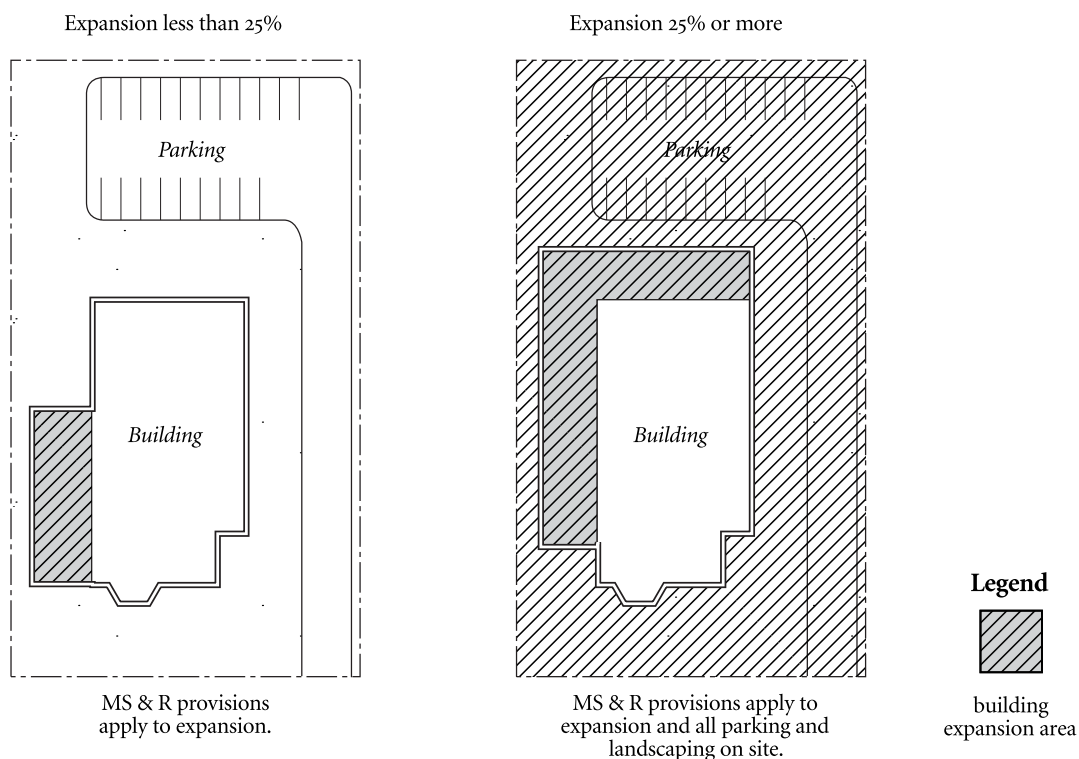
- A. Capability of street widening in a timely manner in order to increase the safety of the street system, allow for adequate street capacity, and provide for the movement of traffic safely and efficiently.
- B. Capability of timely improvement of the street system to assist in reducing air pollution which:
  - 1. Poses a significant threat to the health of the residents; and
  - 2. Negatively impacts on sectors of the economy dealing with astronomical observation, research, tourism and convention, health, and filmmaking; and
  - 3. Adversely affects the quality of life.
- C. Economic viability of new land uses located on the MS&R system by establishing design criteria which will provide adequate on-site facilities to accommodate and serve those land uses after street widening and improvement.
- D. Improvement of the MS&R system by establishing regulations which assure availability of land for street widening purposes, including alternate modes of transportation such as bicycle, pedestrian, and mass transit.
- E. Stability of residential neighborhoods that are in close proximity to streets on the MS&R system, minimizing any unsafe encroachment into adjacent neighborhoods by requiring all new and expanding land uses located on the MS&R system to maintain adequate facilities to serve their needs after any street improvement.
- F. Community's continued economic stability by establishing design criteria to provide for the economic viability of all properties located along the MS&R system after street improvements.

2.8.3.2 Applicability. The provisions of the MS&R setback zone apply to the following uses on all property, any portion of which abuts or is adjacent to a street designated on the City's or County's MS&R Plan. (*See Illustration 2.8.3.2.*)

- A. All new structures.
- B. All new uses of land, including new structures occurring on vacant land.
- C. All uses of land or structures legally existing as of June 27, 1988, which are expanded in floor area, lot coverage, parking, seating capacity, or any other expansion of use, as listed below. However, on a nonconforming existing use, any expansion of off-street parking that would increase the number of spaces to the minimum required by the Code for that use is exempt from counting toward the twenty-five (25) percent expansion.

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1. If the expansion is less than twenty-five (25) percent, the MS&R provisions apply to the proposed expansion. The remainder of the use or structure is governed by provisions in force at the time of initial approval for the use or structure.
  2. If the expansion is twenty-five (25) percent or more, the MS&R provisions apply to the proposed expansion and to any parking and landscaping requirements which apply to the overall development.
  3. All expansions which occur after the adoption of this Code are cumulated in determining the twenty-five (25) percent expansion.
- D. In a case where one (1) or more of the requirements of the MS&R setback zone, the Gateway Route, or the Scenic Corridor Zone (SCZ) apply to the same street, the strictest requirements will apply.
- E. Designation, amendment, or change of boundaries for a Major Street and Route are established through the amendment to the designation on the MS&R Map in accordance with Sec. 2.8.3.3. (Ord. No. 9967, §2, 7/1/04)

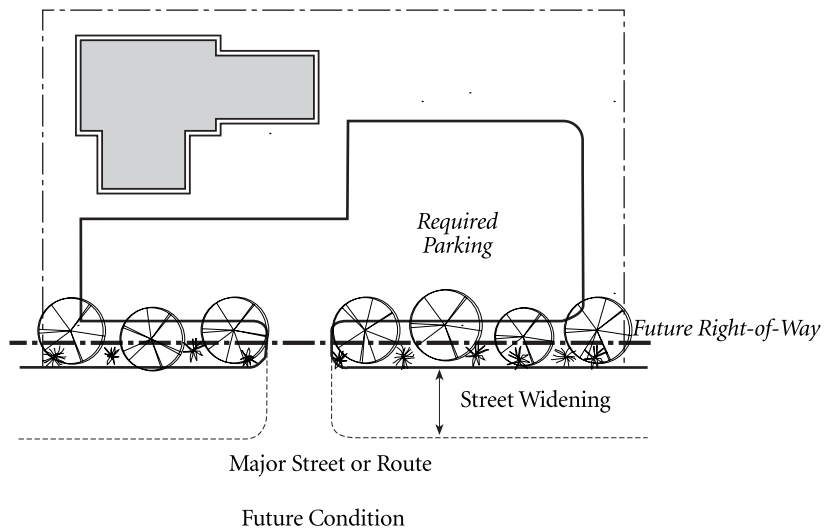
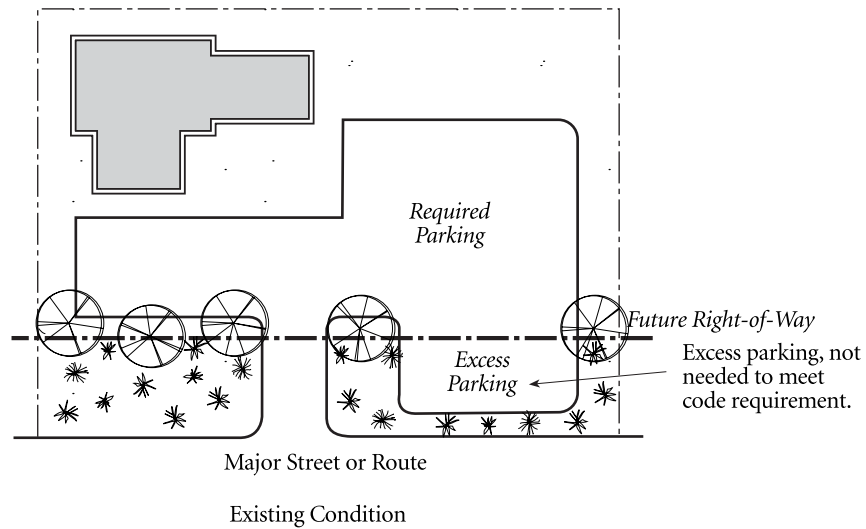


The 25 percent expansion provisions also apply to Gateway Corridor Zone, Parking, Landscaping, Loading and Pedestrian Access requirements; see relevant sections for details (SEC. 3.3.2 & 3.7.1.2)

- 2.8.3.3 **MS&R Map Adoption and Amendment.** The major streets and routes applicable under these provisions are established by the MS&R Map, which is adopted as a component of the MS&R Plan. The MS&R Plan, including designations of Scenic Routes and Gateway Routes, and changes to existing designations are adopted and amended through the legislative process as a specific plan as set forth in the Planning Commission Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.2. Designations of extensions of Scenic Routes and Gateway Routes may also be adopted with the adoption of original city zoning in accordance with the Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9517, §2, 2/12/01; Ord. No. 9967, §2, 7/1/04)

- 2.8.3.4     Establishment of MS&R Right-of-Way Lines and Gateway Routes. MS&R right-of-way line locations are established utilizing the future right-of-way width for those streets identified in the MS&R Plan. The widths are measured in accordance with the method established by the MS&R Plan. Gateway Routes are those major streets or routes designated as Gateway Routes by the MS&R Plan.
- 2.8.3.5     Permitted Use of MS&R Right-of-Way Area. The area between the MS&R right-of-way lines is also referred to as the MS&R right-of-way area, whether publicly or privately owned. It may be used in addition to roadway improvements in conjunction with and accessory to development on abutting properties, as follows.
- A.   No portion of the MS&R right-of-way area that is publicly owned will be used toward complying with *Land Use Code (LUC)* requirements, unless specifically stipulated.
  - B.   For landscaping in compliance with Sec. 3.7.0, Landscaping and Screening Regulations.
  - C.   For structural improvements, provided:
    - 1.   The MS&R is not a Scenic Route.
    - 2.   The structure is not a building.
    - 3.   That, if the improvement is for off-street parking, such parking must be in addition to the amount required for the existing use(s), and the area must be fully improved as required for any parking area. The screening and landscaping required by Sec. 3.7.0, Landscaping and Screening Regulations, for vehicular use areas, street landscape borders, and Gateway Routes may be located temporarily in the MS&R right-of-way area until such time as this area is used for right-of-way purposes. Upon elimination of the parking area, the required screening and landscaping, as specified on the site plan required by Sec. 2.8.3.5.F, will be moved to the location specified on the site plan at no cost to the City. (*See Illustration 2.8.3.5.C.3.*)

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**2.8.3.5.c.3 Permitted Uses of the Major  
Street and Route Right-of-Way Area**

4. The structural improvement, other than landscaping, access, or public improvements, is not located closer than eight (8) feet to the edge of the existing roadway (curb).
5. Such improvement does not obstruct the existing street's sight visibility triangle.



6. That, if the improvement is a sign, it is permitted as an on-site sign by the Sign Code. Such sign is to be removed at the time of street widening at no expense to the City.
  7. Approval is granted by the Mayor and Council for any structural improvement located within publicly owned right-of-way.
- D. For calculation of site requirements.
1. On development projects that are not part of a subdivision plat or rezoning application, the site area within the MS&R right-of-way may be used as follows.
    - a. For calculation of lot coverage or open space as non-lot coverage or open space area, regardless of what improvements are located within that area.
    - b. For calculation of an adjustment, in nonresidential projects, to off-street parking or floor area requirements per Sec. 2.8.3.7, provided the adjustment does not reduce the amount of required parking by twenty (20) percent or more of the amount that would be required without the adjustment.
    - c. For calculation as part of the site, floor area, and density calculations. If the entire MS&R right-of-way area, excluding access and public improvements, to the edge of the paved roadway is landscaped, that part of the site within the MS&R right-of-way area may be included at one and one-eighth (1.125) its size (multiply the area size by 1.125), provided:
      1. The landscaping is visible from the public right-of-way.
      2. The landscaping is over and above that required by the *LUC*.
      3. The street is not scheduled for construction within a period of three (3) years from the date of issuance of a building permit.
    - d. If, in addition to landscaping the entire MS&R area, that area is dedicated to the City at nominal cost, the area may be included at one and one-fourth (1.25) its size (multiply the area dedicated by 1.25) in lieu of the 1.125. In this situation, Sec. 2.8.3.5.D.1.c.3 would not apply.
  2. On development projects that are part of a subdivision plat application but not part of a rezoning application, Sec. 2.8.3.5.D.1.c may be utilized.
- E. Landscaping that is provided to achieve additional density or floor area is considered a requirement of the *LUC* and is to be maintained in compliance.
- F. An approved site plan is required indicating how the project will comply with *LUC* requirements when the MS&R right-of-way can no longer be used as part of the site. Such plan is to be an exhibit to an executed covenant for recordation stating the responsibility of the property owner, successor, or assignee as to the removal of improvements and compliance with the *LUC* at no cost to the City.

2.8.3.6 **MS&R Street Building Setback.** The required minimum building setback along a street that is designated a major street or route on the MS&R Map is regulated under Sec. 3.2.6.5.B, if the street is not a designated Scenic Route on the MS&R Map. Along a street that is designated a Scenic Route, the required building setback is regulated under Sec. 2.8.2, Scenic Corridor Zone (SCZ).

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2.8.3.7 Adjustment. As per Sec. 2.8.3.5, in nonresidential projects, an adjustment to the amount of required off-street parking is permitted to compensate for the setting aside of property for eventual use as part of an MS&R improvement. The amount of adjustment depends on the individual situation. To determine the amount, an adjustment factor is applied and calculated as follows.

A. *Applying Adjustment Factor*. The adjustment factor (percentage) is utilized to accomplish one (1) of the following.

1. To lower the ratio of required off-street parking spaces to the square footage of use.
2. To increase the square footage of use for the amount of off-street parking provided.
3. To increase the seating capacity of a use for the amount of off-street parking provided.

The adjustment factor is applied as shown in the following example.

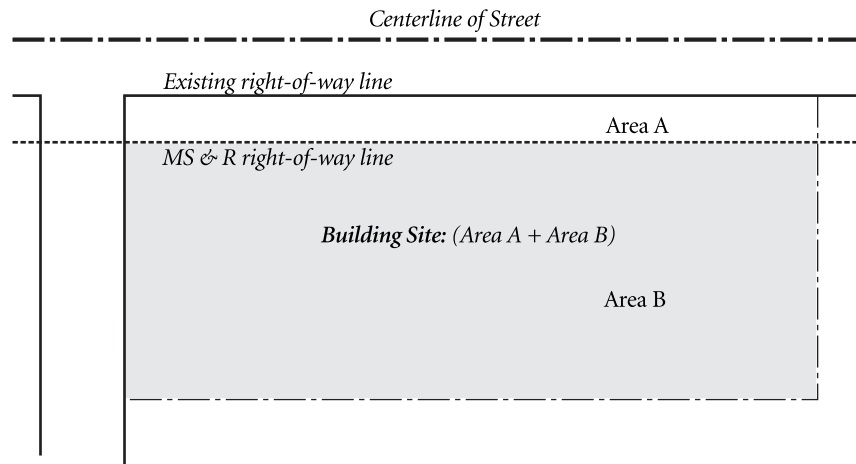
- Required Parking Ratio: One (1) space for every two hundred (200) square feet of floor area.
- Adjustment Factor: Eleven and two-tenths (11.2) percent. (Refer to Sec. 2.8.3.7.B.)
- Proposed Building Square Footage: Thirty thousand four hundred forty (30,440) square feet.

*Application 1. Adjustment to the Parking Ratio.* If the adjustment factor is applied to the parking ratio, then the ratio (200) is multiplied by the adjustment factor (0.112). The result (22.4) is added to the normally required ratio (200) to provide the new adjusted ratio (222.4) that would be applicable.

*Application 2. Adjustment to Building Size.* If the adjustment factor (11.2%) is applied to the floor area (30,440), first the parking would be calculated on the thirty thousand four hundred forty (30,440) square feet which, at one (1) space per two hundred (200) square feet, would equal one hundred fifty-two (152) parking spaces that must be provided. Then, the thirty thousand four hundred forty (30,440) square feet is multiplied by the adjustment factor (0.112). The result (3,409) is then added to thirty thousand four hundred forty (30,440) square feet to provide a total building square footage of thirty-three thousand eight hundred forty-nine (33,849) that could be placed on the property.

*Application 3. Adjustment to Seating Capacity.* To apply the adjustment factor in a situation where the required off-street parking is calculated by the number of seats, such as one space for every five seats, the adjustment factor (0.112) is multiplied by the number of seats (5). The result (0.56) is added to the number of seats (5) to provide the new adjusted ratio of one (1) space for every 5.56 seats that would be applicable.

B. *Calculation of Adjustment Factor*. The adjustment on each project is based on the amount (by percentage) of site area that is within the MS&R right-of-way area (A). This adjustment factor is calculated by dividing that area (A) by the gross site area which includes area A. The adjustment factor is calculated to the nearest thousandth. (See *Illustration 2.8.3.7.B.*)



#### 2.8.3.7.B Adjustment of Off-street Parking Requirements

Formula:  $A \div (A + B) = \text{Adjustment factor}$

Where:

A	=	Site area within MS&R right-of-way
B	=	Site area outside the MS&R right-of-way
A + B	=	Site area or gross site area

*Example 1.* The formula is utilized as follows, where:

A	=	15,000 square feet
B	=	75,000 square feet
$A \div (A + B)$	=	Adjustment factor (percentage)
$15,000 \div (15,000 + 75,000)$	=	Adjustment factor
$15,000 \div 90,000$	=	Adjustment factor
.167	=	16.7% = Adjustment factor

*Example 2.* Adjustment utilizing Sec. 2.8.3.5.D.1.d.

If area A were dedicated to the City, then area A would be allowed to count at one and one-fourth (1.25) its size in the adjustment calculation as provided in Sec. 2.8.3.5.D.1.d. For example, utilizing the site conditions in Example 1, where A is equal to fifteen thousand (15,000) square feet utilizing the provision of Sec. 2.8.3.5.D.1.d, area A would now be equal to eighteen thousand seven hundred fifty (18,750) square feet (15,000 multiplied by 1.25). The calculation would be as follows with B = 75,000 square feet:

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$A \div (A + B)$	=	Adjustment factor
$18,750 \div (18,750 + 75,000)$	=	Adjustment factor
$18,750 \div 93,750$	=	Adjustment factor
0.20	=	20% = Adjustment factor

(Ord. No. 9179, §1, 12/14/98)

**2.8.4 GATEWAY CORRIDOR ZONE.**

2.8.4.1 Purpose. The purpose of this overlay zone is to implement policies in the City's *General Plan*, the Regional Transportation Plan, and the Air Quality Plan, with specific emphasis on the Major Streets and Routes (MS&R) Plan. The MS&R Plan projects the future arterial and collector street needs of the community and is a tool to implement the development of a safe and efficient street system and the design of all land uses serviced by that system, while assuring the economic viability of new and expanding land uses and the continued economic stability of the community. These goals are achieved by providing for the visual improvement of major streets and routes designated as Gateway Routes by implementing standards for the design and landscaping of the roadway and adjacent development, thereby providing: (Ord. No. 9517, §2, 2/12/01)

- A. A favorable visual impression of Tucson to tourists and visitors at entry points to the city and on routes leading to major recreation attractions.
- B. Enhancement of the built environment along routes of important commercial development.
- C. Incentives for private investment and economic development by providing an attractive streetscape.
- D. Aesthetic buffering through the implementation of screening or siting of developmental elements that are incompatible with the urban character of adjacent uses.
- E. The improvement and use of the pedestrian environment along major transit routes.
- F. Some measure of air quality control by requiring landscaping with live vegetation to assist in purifying the air of carbon dioxide through oxygenation and dilution.

2.8.4.2 Applicability. The provisions of the Gateway Corridor Zone apply to the following uses on all property, any portion of which abuts or is adjacent to a street designated on the City's or County's MS&R Plan.

- A. All new structures.
- B. All new uses of land, including new structures occurring on vacant land.
- C. All uses of land or structures legally existing as of June 27, 1988, which are expanded in floor area, lot coverage, parking, seating capacity, or any other expansion of use, as listed below. However, on a nonconforming existing use, any expansion of off-street parking that would increase the number of spaces to the minimum required by the Code for that use is exempt from counting toward the twenty-five (25) percent expansion.
  - 1. If the expansion is less than twenty-five (25) percent, the Gateway Corridor Zone provisions apply to the proposed expansion. The remainder of the use or structure is governed by provisions in force at the time of initial approval for the use or structure. (Ord. No. 9138, §1, 10/5/98)
  - 2. If the expansion is twenty-five (25) percent or more, the Gateway Corridor Zone provisions apply to the proposed expansion and to any parking and landscaping requirements which apply to the overall development. (Ord. No. 9138, §1, 10/5/98)
  - 3. All expansions which occur after June 27, 1988, are cumulated in determining the twenty-five (25) percent expansion.
- D. In a case where one (1) or more of the requirements of the MS&R setback zone, the Gateway Route, or the Scenic Corridor Zone (SCZ) apply to the same street, the strictest requirements will apply.

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- E. On street intersections where a Scenic Route and Gateway Route intersect, development review and criteria provisions of the Gateway Route apply for seven hundred (700) feet along the Scenic Route from each side of the intersection. The seven hundred (700) feet is measured from the MS&R right-of-way line of the Gateway Route.
- F. The following are exempt from the application of the Gateway Route requirement.
  - 1. Utility facilities constructed or installed pursuant to a certificate of environmental compatibility issued prior to June 27, 1988, under the authority of Arizona Revised Statutes (ARS), Title 40, Chapter 2, Article 6.2.
  - 2. Any single-family lot legally existing on June 27, 1988.
  - 3. Any development within the Downtown Redevelopment District.
- G. Where widening of a Gateway Route is planned for construction within three (3) years after the date of a building permit application, landscaping will not be required to be implemented until the road project has been completed, provided the developer posts financial assurances to ensure compliance.
- H. Designation, amendment, or change of boundaries for a Gateway Route are established through the amendment to the designation on the MS&R Map in accordance with Sec. 2.8.3.3. (Ord. No. 9967, §2, 7/1/04)

2.8.4.3 Gateway Route Development Review. The City will not issue any type of approval or construction permit, nor is any improvement, construction, or alteration of a building or structure allowed along a Gateway Route, until approval is granted. (Ord. No. 9392, §1, 5/22/00)

2.8.4.4 Development Criteria for Gateway Routes. The following development criteria are to be applied on projects located on a major street or route which is designated as a Gateway Route.

- A. *Landscaping.* The landscaping requirements are listed in Sec. 3.7.0, Landscaping and Screening Regulations.
- B. *Screening.* Screening requirements are listed in Sec. 3.7.3 and Sec. 3.7.5.1.
- C. *Signs.* Signs as permitted by Chapter 3 of the Tucson Code are allowed within the required landscaped area with the exception of billboards. Billboards are not permitted within four hundred (400) feet of the MS&R right-of-way line.
- D. *Utilities.*
  - 1. *New Utilities.* All new utilities for development on private and on public right-of-way along Gateway Routes will be underground.
    - a. Existing poles will be used to provide the required transition to underground service to new development adjacent to Gateway Routes. When necessary to serve new development, a new pole set in line with, but not extending, an existing overhead system used to serve new development is not considered a new utility.
    - b. Upgrades and reinforcements of existing overhead facilities are allowed to the extent that the total number of electrical circuits or communication cables is not increased.
  - 2. *Existing Utilities.* Where an existing development is expanded in floor area or land area to any degree, new and existing utilities to all portions of the development will be located underground. Additions to single-family dwellings are exempt.

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3. *Relocation of Utilities.* Relocation of overhead utility facilities required by public improvement districts along Gateway Routes will conform with existing franchise requirements.

2.8.4.5 Variances. The Design Review Board (DRB) shall review all requests for variances from Gateway Route regulations as provided in Sec. 5.1.8.3.H and shall forward its recommendations in accordance with Sec. 5.1.8.2.F. (Ord. No. 9179, §1, 12/14/98; Ord. No. 9967, §2, 7/1/04)

## 2.8.5 AIRPORT ENVIRONS ZONE (AEZ).

2.8.5.1 Purpose. The purpose of this overlay zone is to protect the health, safety, and welfare of persons and property in the vicinity of Tucson International Airport and Davis-Monthan Air Force Base. This is accomplished by: (1) reducing noise and safety hazards associated with aircraft operations; (2) preserving the operational stability of these airports; and (3) assisting in the implementation of policies and recommendations in the City's *General Plan* and Airport Environs Plan, the Air Installation Compatible Use Zone Report (AICUZ), and the Airport Noise Control and Land Use Compatibility (ANCLUC) Study. The overlay district further: (Ord. No. 9517, §2, 2/12/01)

- A. Promotes the compatibility of uses with aircraft operations through the establishment of criteria for the regulation of building height and density.
- B. Addresses potentially life-threatening situations in areas exposed to aircraft accident potential through restrictions on the congregation of large numbers of people or high concentrations of people and by restrictions on concentrations of people who are unable to respond to emergency situations, such as children, the elderly, the handicapped, and persons undergoing medical treatment.
- C. Increases the protection of persons exposed to high levels of aircraft noise by requiring acoustical treatment in buildings located within these areas and regulating those uses which are sensitive to such noise.
- D. Prohibits uses which create potential hazards to the safe approach and departure of aircraft.
- E. Recognizes the role of Davis-Monthan Air Force Base in the Tucson economy and protects the City's interest in ensuring the continued viability and operation of Davis-Monthan AFB by limiting the encroachment of incompatible land uses in the Approach-Departure Corridor (ADC). (Ord. No. 9781, §1, 10/28/02)

2.8.5.2 Maps Established. The Airport Environs Zone (AEZ) includes districts and zones. Changes to the boundaries of districts or zones shall be in conformance with the Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. The AEZ is made up of the following eleven (11) zones and districts. (*See Map 2.8.5.2-I.*) (Ord. No. 9781, §1, 10/28/02; Ord. No. 9967, §2, 7/1/04)

- A. Compatible Use Zone-One (CUZ-1)
- B. Compatible Use Zone-Two (CUZ-2)
- C. Compatible Use Zone-Three (CUZ-3)
- D. Accident Potential Zone-One (APZ-1)
- E. Accident Potential Zone-Two (APZ-2)
- F. Accident Potential Zone-Three (APZ-3)
- G. Accident Potential Zone-Four (APZ-4)
- H. Noise Control District-65 (NCD-65)
- I. Noise Control District-70 (NCD-70)
- J. Airport Hazard Districts (AHD)
- K. Approach-Departure Corridor (ADC) (Ord. No. 9781, §1, 10/28/02)



The boundaries of these districts and zones are identified for Tucson International Airport and for Davis-Monthan Air Force Base by the Airport Environs Zone (AEZ) Overlay Map series kept on file in the offices of the City Clerk, the Development Services Department (DSD), and the Department of Urban Planning and Design. The AEZ Overlay Map series is hereby established as the official AEZ Overlay Map series and becomes effective on May 16, 1990, as amended on January 28, 1991, April 27, 1992, and October 28, 2002. (Ord. No. 9392, § 1, 5/22/00; Ord. No. 9781, § 1, 10/28/02; Ord. No. 9967, § 2, 7/1/04)

- 2.8.5.3 Applicability. Where more than one (1) district or zone is applicable to a property, the requirements of all applicable districts or zones apply. Where requirements conflict, the most restrictive applies. The provisions of the Airport Environs Zone (AEZ) apply to the following on all property located within the AEZ boundaries established by Sec. 2.8.5.2. For property partially within the AEZ, the provisions apply to only those portions within the boundaries of the AEZ. For areas outside the city limits, which have not been annexed by the City, the AEZ overlay provisions apply upon annexation.
- A. New development.
  - B. A change in, expansion of, or addition to the use of an existing structure as follows.
    - 1. The residential density, employee density, and emergency evacuation plan and training requirements of Sec. 2.8.5.5 apply to the entire existing structure if the change, expansion, or addition results in an increase in any of the following.
      - a. Employee density.
      - b. Residential density.
      - c. Number of employees.
      - d. Number of persons of the general public for whom the structure was intended or designed to accommodate.
    - 2. The noise attenuation requirements of Sec. 2.8.5.6 apply to the entire existing structure if the use of the existing structure is changed from any other land use to one (1) or more of the following uses.
      - a. Residential.
      - b. Place of public accommodation.
      - c. Administrative or Professional Office.
  - C. Expansion of an existing development as follows.
    - 1. If the gross floor area of a structure or the gross floor area on a project site is expanded by less than fifty (50) percent, the provisions of the Airport Environs Zone (AEZ) apply only to the areas of expansion.
    - 2. If the gross floor area of a structure is expanded by fifty (50) percent or more, the requirements of Sec. 2.8.5.6 apply to the entire structure. The sound attenuation requirement in this Section does not, however, apply to an expansion of the following types of structures existing prior to May 16, 1990.
      - a. A single-family or duplex dwelling.
      - b. A mobile home.

- c. A manufactured housing unit.
- 3. If the gross floor area on a project site is expanded by fifty (50) percent or more, the employee density, lot coverage, and emergency evacuation plan and training requirements of Sec. 2.8.5.5 apply to the entire project site.
- 4. Cumulation of Expansions. Expansions are cumulated over time from May 16, 1990. Once a structure or project site is brought into conformance with the provisions of this Section, subsequent expansions are accumulated as of the date the existing structure or project site is brought into conformance.
- D. Nothing contained in this Section affects existing property or the right to its continued use for the purpose legally used at the time these regulations become effective, nor do these regulations affect any reasonable repairs to, or alterations of, buildings or property used for such existing purposes.
- E. Owners of property within the Airport Environs Zone (AEZ) or in the vicinity of the military airport should be aware that Arizona Revised Statutes (ARS), Title 28, contains provisions which may apply to some properties regulated under this Section. The provisions require property owners to inform potential purchasers, lessees, and renters that a property is in an airport zoning district. (Ord. No. 9781, § 1, 10/28/02)
- F. Designation, amendment, or change of boundaries for an Airport Environs Zone are established through the amendment to the designation on the AEZ Maps in accordance with Sec. 2.8.5.2. (Ord. No. 9967, § 2, 7/1/04)

#### 2.8.5.4 General Provisions.

- A. *Permitted Uses.* The land uses permitted are those permitted by the underlying zone, except as restricted by this Section.
- B. *Posting of Occupancy Limitations.* Any restriction of occupancy required under this ordinance as a condition of building permit issuance or certificate of occupancy will be posted on the premises. The owner/manager(s) of the premises may not permit the limitation to be exceeded. (Ord. No. 9392, § 1, 5/22/00)

#### 2.8.5.5 Compatible Use Districts. The Compatible Use Districts, for the purposes of this Section, are comprised of Compatible Use Zones, established near the ends of Tucson International Airport runways, and Accident Potential Zones, established near the ends of Davis-Monthan Air Force Base runways. The APZ-1, APZ-2, CUZ-1, and CUZ-2 Districts have been established in the areas to the north and west of the Airport and Air Base. The APZ-3, APZ-4, and CUZ-3 Districts have been established in those areas to the south and east of the Airport and Air Base. For dimensions of the CUZs and APZs, refer to Sec. 2.8.5.9. Land use regulations within the Compatible Use Districts are as follows.

##### A. *APZ-1 and CUZ-1.*

- 1. Single-family and multifamily dwellings and mobile homes are permitted, only if the property is zoned IR, RH, SR, RX-1 (UR), RX-2, R-1, R-2, MH-1 (MH), MH-2 (MHP), or R-3 and such zone was in place prior to May 16, 1990. Other uses allowed by the underlying zoning are permitted, except as modified by Sec. 2.8.5.5.E.
  - a. Residential clustering options as described in Sec. 3.6.1, Residential Cluster Project (RCP), are not permitted.
  - b. Residential development may occur in compliance with underlying zoning, with no more than twenty-five (25) dwelling units per building.
- 2. No more than one (1) employee for every two hundred fifty (250) square feet of gross floor area of all buildings on a project site at any time may be accommodated by intention, design, or in fact.

3. Structures or uses with fifty (50) or more employees must develop an emergency evacuation plan and training program and implement it as approved by the Fire Department. (Ord. No. 9392, §1, 5/22/00)
4. The maximum height limit is seventy-five (75) feet, except where Sec. 2.8.5.7 reduces that limit.

**B. *APZ-2 and CUZ-2.***

1. Single-family and multifamily dwellings and mobile homes are permitted, only if the property is zoned IR, RH, SR, RX-1 (UR), RX-2, R-1, R-2, MH-1 (MH), MH-2 (MHP), or R-3 and such zone was in place prior to May 16, 1990. Other uses allowed by the underlying zoning are permitted, except as modified by Sec. 2.8.5.5.E.
  - a. Residential clustering options as described in Sec. 3.6.1, Residential Cluster Project (RCP), are not permitted.
  - b. Residential development may occur in compliance with underlying zoning, with no more than twenty-five (25) dwelling units per building.
2. Structures or uses with fifty (50) or more employees must develop an emergency evacuation plan and training program and implement it as approved by the Fire Department. (Ord. No. 9392, §1, 5/22/00)
3. The maximum height limit is seventy-five (75) feet, except where Sec. 2.8.5.7 reduces that limit.

**C. *APZ-3 and CUZ-3.***

1. In CUZ-3, single-family and multifamily dwellings and mobile homes are permitted, only if the property is zoned IR, RH, SR, RX-1 (UR), RX-2, R-1, R-2, MH-1 (MH), MH-2 (MHP), or R-3 and such zone was in place prior to May 16, 1990. Other uses allowed by the underlying zoning are permitted, except as modified by Sec. 2.8.5.5.E.
  - a. Residential clustering options as described in Sec. 3.6.1, Residential Cluster Project (RCP), are not permitted.
  - b. Minimum lot area per dwelling unit is one hundred forty-four thousand (144,000) square feet.
2. In CUZ-3, no development may exceed seventy-five (75) percent lot coverage and 0.375 Floor Area Ratio (FAR). (Ord. No. 8653, §1, 2/26/96)
3. In CUZ-3, no structure or use or contiguous structure or use may accommodate, by intention or design, in whole or in part, at any one time, more than fifty (50) employees.
4. In APZ-3, the land uses listed in Sec. 2.8.5.10.B may be permitted subject to approval pursuant to Sec. 2.8.5.10.D, except for land uses prohibited by Sec. 2.8.5.5.E and Sec. 2.8.5.10.C.

(Ord. No. 9781, §1, 10/28/02)

**D. *APZ-4.***

1. Land uses are permitted as regulated by Sec. 2.8.5.10, except for Sec. 2.8.5.10.B.6, Retail Trade Use Group, and the land uses prohibited by Sec. 2.8.5.5.E. (Ord. No. 9781, §1, 10/28/02)

E. *Prohibited Uses.*

1. Public assembly is prohibited within APZ-1, APZ-2, APZ-3, APZ-4, CUZ-1, CUZ-2, and CUZ-3.
  - a. Exception: Accessory Food Service uses for employees only; such uses will be provided on-site entirely within a structure devoted to a permitted principal use.
2. In addition to public assembly, the following uses are prohibited within APZ-1, APZ-2, CUZ-1, and CUZ-2.
  - a. Civic Assembly of fifty (50) or more persons.
  - b. Day Care.
  - c. Educational Use: Elementary and Secondary Schools.
  - d. Medical Service.
  - e. Adult care homes, adult care facilities, specialized treatment homes, and group homes for the seriously mentally ill.
3. In addition to public assembly, the following uses are prohibited within APZ-3, APZ-4, and CUZ-3.
  - a. Alcoholic Beverage Service (on premises).
  - b. Civic Assembly.
  - c. Cultural Use.
  - d. Day Care.
  - e. Educational Use.
  - f. Entertainment (indoor and outdoor).
  - g. Financial Service (except automated teller).
  - h. Food Service (on premises, except as accessory use).
  - i. General Merchandise Sales (retail stores over 2,500 square feet gross floor area).
  - j. Medical Service - Major.
  - k. Membership Organization.
  - l. Medical Service - Outpatient.
  - m. Recreation (indoor and outdoor).
  - n. Religious Use.
  - o. Swap Meet or Auction.
  - p. Travelers' Accommodation.

2.8.5.6     Noise Control Districts.

A.    *NCD-65.*

1.    Within Noise Control District-65, the following uses must be provided with insulation to reduce the interior noise level to an Ldn of 45 or less, as specified by the Uniform Building Code, Chapter 35, Section 3501, Sound Transmission Control.
  - a.    All site-built residential uses.
  - b.    All places of public accommodation.
  - c.    All Administrative and Professional Offices.
2.    A manufactured housing unit will not be considered equivalent to a single-family dwelling within the boundaries of NCD-65, unless located on a property zoned MH-1 or MH-2 or unless it can be demonstrated that the unit provides adequate sound attenuation to reduce the interior noise level to Ldn 45. (Ord. No. 9374, §1, 4/10/00)
3.    Prohibited Uses: Within NCD-65, the following uses are prohibited.
  - a.    Day Care.

B.    *NCD-70.*

1.    Within Noise Control District-70, the following uses must be provided with insulation to reduce the interior noise level to an Ldn of 45 or less, as specified by the Uniform Building Code, Chapter 35, Section 3501, Sound Transmission Control.
  - a.    All site-built residential uses.
  - b.    All places of public accommodation.
  - c.    All Administrative and Professional Offices.
2.    Single-family and multifamily dwellings are permitted, provided the property is residentially zoned as of May 16, 1990, and provided the interior noise level is reduced to an Ldn of 45 or less as specified in Sec. 2.8.5.6.B.1.
3.    A manufactured housing unit will not be considered equivalent to a single-family dwelling within the boundaries of NCD-70, unless located on a property zoned MH-1 or MH-2 or unless it can be demonstrated that the unit provides adequate sound attenuation to reduce the interior noise level to Ldn 45. (Ord. No. 9374, §1, 4/10/00)
4.    Special Exception Land Uses. The following uses are generally considered to be inappropriate within the high noise area, NCD-70. They may be approved as Special Exception Land Uses upon application, review, and approval in accordance with the Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. In addition to the standard notice required for Special Exception Land Use applications, the Tucson Airport Authority and Davis-Monthan Air Force Base will be notified of all such applications within the boundaries of the Airport Environs Zone (AEZ). (Ord. No. 9781, §1, 10/28/02; Ord. No. 9967, §2, 7/1/04)
  - a.    Civic Assembly.

- b. Cultural Use.
- c. Educational Use: Postsecondary Institution.
- d. Entertainment.
- e. Medical Service - Major.
- f. Swap Meet or Auction.

In addition to the required findings and conditions specified in Sec. 5.3.9, Special Exception Land Uses, these uses must be shown to be consistent with the intent of the Airport Environs Zone (AEZ) and the Airport Environs Plan or the Air Installation Compatible Use Zone (AICUZ) Report and must be capable of sound attenuation to mitigate the effects of high noise. In addition, all activity associated with the use must be shown to take place within an enclosed building. An acoustical engineer must demonstrate that the proposed use is noise insulated to an interior noise level of an Ldn of 45 or less. (Ord. No. 9781, §1, 10/28/02; Ord. No. 9967, §2, 7/1/04)

- 5. Prohibited Uses. Within NCD-70, the following uses are prohibited.
  - a. Day Care.
  - b. Educational Use: Elementary and Secondary Schools.

2.8.5.7 Airport Hazard Districts. No structure, use of land, or tree may exceed the height limitations as described by the Airport Hazard Districts within the Airport Environs Zone (AEZ). Certain uses are prohibited from these districts as noted below.

- A. The Airport Hazard Districts are identified on the Airport Environs Zone (AEZ) Maps and are established as follows.
  - 1. *Tucson International Airport*. The height limits around Tucson International Airport are based on distances away from established ends of runways. The M.S.L. elevations of the established ends of runways are as follows.
    - a. NE end of runway 21 is 2,567 feet M.S.L.
    - b. SW end of runway 3 is 2,561 feet M.S.L.
    - c. NW end of runway 11L is 2,575 feet M.S.L.
    - d. SE end of runway 29R is 2,641 feet M.S.L.
    - e. NW end of runway 11R is 2,583 feet M.S.L.
    - f. SE end of runway 29L is 2,660 feet M.S.L.
  - 2. *Davis-Monthan Air Force Base*. The height limits around Davis-Monthan Air Force Base are based on distances away from established ends of runways and also on a conical or inclined surface extending outward and upward from the established runway elevation at a ratio of 60:1. The established ends of runway M.S.L. elevations are as follows.
    - a. NW end of the NW/SE runway is 2,590 M.S.L.
    - b. SE end of the NW/SE runway is 2,705 M.S.L.

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- B. **Height Measurement.** The height of a building, structure, or tree is measured from the M.S.L. elevation at the end of the runway to a point specified in Sec. 3.2.7 or to the highest point of a tree. (*See Illustration 2.8.5.7.B.*)

Height of a building, structure or tree is measured from the msl elevation at the end of the runway to a point specified in sec. 3.2.7 or to the highest point of a tree.



**2.8.5.7.B Height Measurement in  
Airport Hazard Districts**

- C. **Conflicts in Heights.** Where two (2) or more height restrictions are placed on a parcel, the more restrictive height limit prevails. Height limit exceptions noted in Sec. 3.2.7.3 do not apply within the Airport Environs Zone (AEZ).
- D. **Prohibited Uses.** Airport hazards as defined in Sec. 6.2.1 are prohibited within the boundaries of the Airport Hazard Districts.

2.8.5.8 **Variances.** Variances from the provisions of Sec. 2.8.5.7 are allowed as set forth in the provisions established by Arizona Revised Statutes (ARS), Title 28. (Ord. No. 9781, §1, 10/28/02)

2.8.5.9 **Compatible Use Districts, Accident Potential Zones, and Approach-Departure Corridor - Dimensions.** (Ord. No. 9781, §1, 10/28/02)

<b>TABLE 2.8.5-I</b>			
<b>TUCSON INTERNATIONAL AIRPORT COMPATIBLE USE ZONES</b>			
<b>Approach End of Runway</b>	<b>CUZ-1</b>	<b>CUZ-2</b>	<b>CUZ-3</b>
21	**	1,750' x 5,000'	---
3	**	1,750' x 5,000'	---
11L	1,750' x 3,500'	1,750' x 5,000'	---
11R	1,750' x 3,500'	1,750' x 5,000'	---
*29L	---	---	1,500' x 3,500'
29R	---	---	1,500' x 3,500'

\* Based on future runway location, Tucson International Airport Master Plan Update.

\*\* No CUZ-1 has been established for the crosswinds runway. The CUZ-2 is located in place of the CUZ-1 for that runway.

<b>TABLE 2.8.5-II</b>				
<b>DAVIS-MONTHAN AIR FORCE BASE ACCIDENT POTENTIAL ZONES</b>				
<b>Runway</b>	<b>APZ-1</b>	<b>APZ-2</b>	<b>APZ-3</b>	<b>APZ-4</b>
NW	3,000' x 5,000'	3,000' x 7,000'	---	---
SE	---	---	3,000' x 5,000'	3,000' x 7,000'

(Ord. No. 8582, §1, 9/25/95)

<b>TABLE 2.8.5-III</b>	
<b>DAVIS-MONTHAN AIR FORCE BASE APPROACH-DEPARTURE CORRIDOR</b>	
<b>Runway</b>	
SE	2,000' to 16,000' x 50,000'*

\*APZ-3 and APZ-4 plus the land area starting 200' from the southeast runway end at a width of 2,000' and extending outward 50,000' to a width of 16,000'.

(Ord. No. 9871, §1, 10/28/02)

2.8.5.10 Approach-Departure Corridor (ADC). (See Map 2.8.5.2-I.)

- A. Within the Approach-Departure Corridor (ADC), all land uses must comply with the requirements of Sec. 2.8.5.6.A, Noise Control District - 65.
- B. Permitted Uses. Subject to the provisions of the applicable underlying zoning, the following uses are permitted in the Approach-Departure Corridor (ADC):
  1. Agricultural Use Group.
  2. Civic Use Group.
    - a. Cemetery.
    - b. Protective Service.
  3. Commercial Services Use Group.
    - a. Animal Service.
    - b. Automotive – Service and Repair.
    - c. Billboard.
    - d. Building and Grounds Maintenance.
    - e. Communications.
    - f. Construction Service.
    - g. Financial Service (automated tellers only).
    - h. Parking.
    - i. Trade Service and Repair, Major and Minor.
    - j. Transportation Service, Land Carrier.



4. Industrial Use Group.
  - a. Craftwork.
  - b. Extraction.
  - c. General Manufacturing.
  - d. Heavy Equipment Manufacturing.
  - e. Perishable Goods Manufacturing.
  - f. Precision Manufacturing.
  - g. Primary Manufacturing.
  - h. Salvaging and Recycling. (Ord. No. 9915, §7 11/24/03)
5. Recreation Use Group.
  - a. Golf Course.
  - b. Open Space.
6. Retail Trade Use Group.
  - a. Heavy Equipment Sales.
  - b. Vehicle Rental and Sales.
7. Storage Use Group.
  - a. Commercial Storage.
  - b. Personal Storage.
8. Utilities Use Group.
  - a. Distribution System.
  - b. Generating System.
9. Wholesaling Use Group.
  - a. Business Supply and Equipment Wholesaling.
  - b. Construction/Heavy Equipment Wholesaling.
  - c. Food and Beverage Wholesaling.
10. Development within the Approach-Departure Corridor (ADC) is limited to 0.50 FAR, and no more than twenty (20) employees for every acre of lot area may be accommodated by intention or in fact.

## C. Prohibited Uses.

1. Civic Use Group.
  - a. Civic Assembly.
  - b. Educational Uses, Elementary and Secondary Schools.
  - c. Religious Use.
2. Commercial Services Use Group.
  - a. Alcoholic Beverage Service (Large Bar).
  - b. Day Care.
  - c. Entertainment (Dance Hall).
  - d. Medical Service – Extended Health Care.
  - e. Medical Service – Major.
  - f. Transportation Service, Air Carrier.
3. Industrial Use Group.
  - a. Hazardous Material Manufacturing.
  - b. Refining.
4. Residential Use Group, unless the property is zoned IR, RH, SR, RX-1 (UR), RX-2, R-1, R-2, MH-1 (MH), MH-2 (MHP), or R-3 and such zone was in place prior to May 16, 1990.
  - a. Residential clustering options as described in Sec. 3.6.1, Residential Cluster Project (RCP), are not permitted.
  - b. Minimum lot area per dwelling unit is one hundred forty-four thousand (144,000) square feet.
5. Storage Use Group.
  - a. Hazardous Material Storage.
6. Wholesaling Use Group.
  - a. Hazardous Material Wholesaling.

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## DIVISION 8. OVERLAY ZONES

## AIRPORT ENVIRONS ZONE (AEZ)

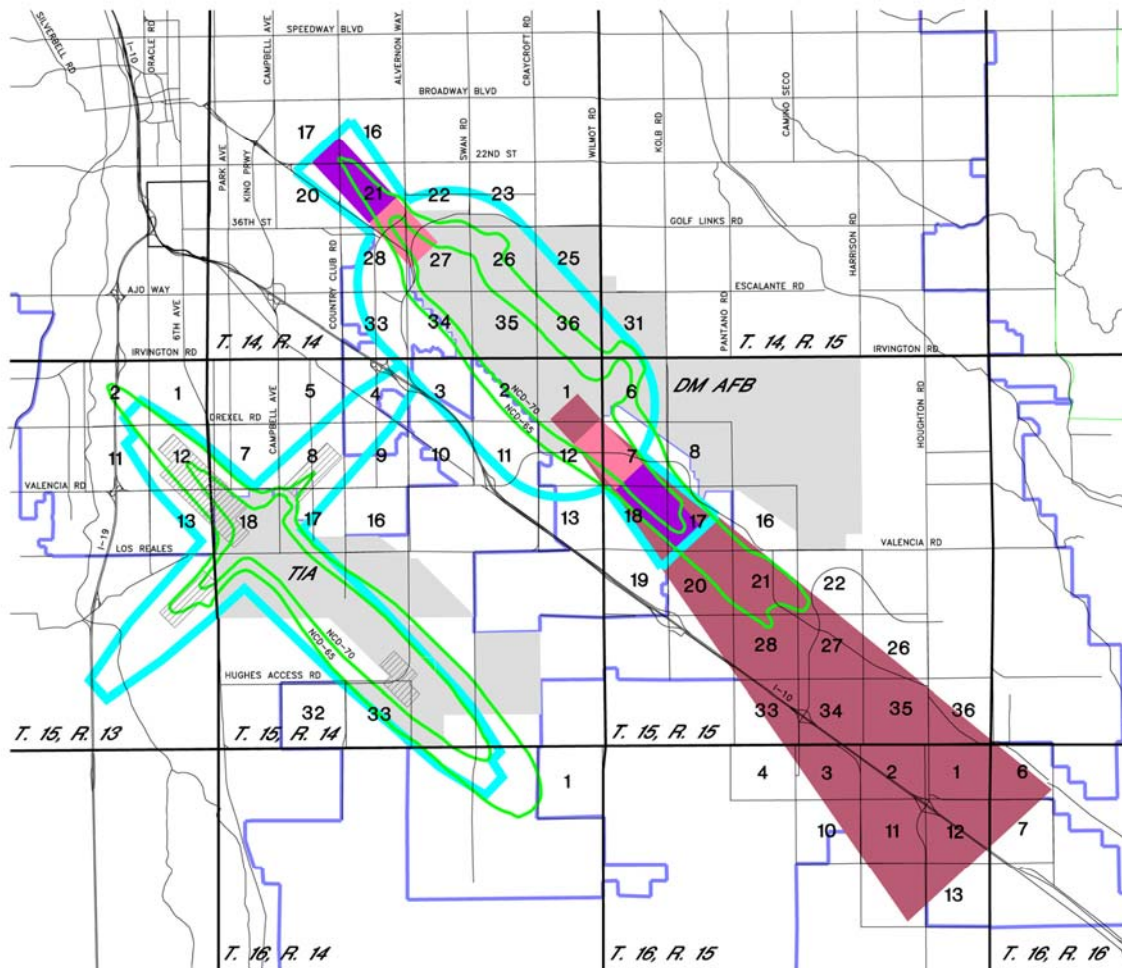
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- D. Special Exception Land Uses. All land uses not specifically permitted or prohibited, including developments that are proposed to exceed the limits of Sec. 2.8.5.10.B.10, in the Approach-Departure Corridor (ADC) must be analyzed for: 1) land use compatibility with base operations, 2) reduced numbers of people in closer proximity to the end of the runway, 3) restricted floor area ratios based on proximity to the end of the runway, 4) location in relationship to major flight tracks, and 5) compliance with Arizona Revised Statutes (ARS), Sec. 28-8481. They may be approved as Special Exception Land Uses upon application, review, and approval in accordance with the Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-51. In addition to the standard notice required for Special Exception Land Use applications, the Tucson Airport Authority and Davis-Monthan Air Force Base will be notified of all such applications within the boundaries of the Airport Environs Zone (AEZ). (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9781, §1, 10/28/02)

## ARTICLE II. ZONES








## DIVISION 8. OVERLAY ZONES

## AIRPORT ENVIRONS ZONE (AEZ)



## AIRPORT ENVIRONS ZONE (AEZ)

### Legend

	Airports		Airport Hazard Districts
	Tucson City Limits		Noise Control Districts
	Compatible Use Zones		Approach/Departure Corridor
	Accident Potential Zones		

MAPS ORIGINALLY ADOPTED BY THE MAYOR AND COUNCIL,  
APRIL 16, 1990, BY ORDINANCE NO. 7399.

AMENDED JANUARY 26, 1991, BY ORDINANCE NO. 7557

AMENDED APRIL 27, 1992, BY ORDINANCE NO. 7805

AMENDED OCTOBER 28, 2002, BY ORDINANCE NO. 9781

Map 2.8.5.2-I AEZ Base Map

**2.8.6 ENVIRONMENTAL RESOURCE ZONE (ERZ).**

- 2.8.6.1 Purpose. These regulations are intended to recognize the value of Tucson's natural open space resources, particularly the critical and sensitive wildlife habitat of eastern Pima County associated with public monuments, forests, and preserves. These regulations relate to areas associated with Tucson's public lands and preserves, including Saguaro National Park, Coronado National Forest, and Tucson Mountain Park. It is the intent of these regulations to protect valuable habitat resources to the greatest extent possible. Development, compatible with these public resources, is allowed.

This overlay zone specifically serves to:

- A. Recognize the social, economic, environmental, biologic, and cultural importance of Saguaro National Park and Tucson Mountain Park to the city of Tucson.
- B. Buffer Saguaro National Park and Tucson Mountain Park from the impacts of new development by allowing development which is compatible with preservation of critical wildlife habitat and the Park environs.
- C. Conserve certain designated washes which extend from the Parks as areas of natural and scenic resources and provide valuable wildlife habitat.
- D. Complement the City of Tucson Interim Watercourse Improvement Policy which provides for flood control, erosion mitigation, and groundwater recharge through the preservation of designated washes in natural and undisturbed states.
- E. Assist in implementing the *General Plan* policies which call for the preservation of Tucson's significant natural areas along designated watercourses where identified in adopted area and neighborhood plans. (Ord. No. 9517, §2, 2/12/01)

2.8.6.2 Applicability.

- A. *Areas Mapped.* Parcels which may contain critical riparian habitat are shown on a series of maps approved by the Mayor and Council called the Environmental Resource Zone Overlay Maps (ERZ Maps) which are an exhibit to this ordinance incorporated herein by reference and kept on file in the Development Services Department (DSD). ERZ Maps will include all parcels along the subject washes which may contain riparian habitat, including those parcels that are not vacant. These maps are based on the Critical and Sensitive Wildlife Habitat Map which the Mayor and Council adopted by Resolution #15149. (Ord. No. 9392, §1, 5/22/00; Ord. No. 9967, §2, 7/1/04)
- B. *Resource Corridors.* Critical riparian habitat is associated with resource corridors along the following washes and their tributaries, which are shown on the Environmental Resource Zone Overlay Maps (ERZ Maps): 1) Agua Caliente; 2) Ajo; 3) Anklam; 4) Camino de Oeste; 5) Coronado Ridge; 6) Cuprite; 7) Enchanted Hills; 8) Escalante; 9) Este; 10) Fagan; 11) Flato; 12) Franco; 13) Greasewood; 14) Julian; 15) North Fork Airport; 16) Petty Ranch; 17) Race Track; 18) Reyes; 19) Rincon Creek; 20) San Juan; 21) Silvercroft; 22) South Fork Airport; 23) Summit; 24) Tanque Verde Creek; 25) Thomas Sousa; 26) portions of the West Branch of the Santa Cruz; and 27) West Speedway (Painted Hills). (Ord. No. 8423, §3, 12/12/94; Ord. No. 8625, §1, 1/2/96; Ord. No. 8659, §1, 3/4/96; Ord. No. 8839, §1, 3/17/97; Ord. No. 8868, §1, 5/5/97; Ord. No. 9615, §2, 10/1/01)
- C. *New Development.* New development which occurs on parcels or proposed subdivisions which include property designated as ERZ wash will be reviewed for compliance with these regulations in accordance with the DSD – Full Notice Procedure, Sec.23A-50 and 23A-51. (Ord. No. 9967, §2, 7/1/04)
- D. *Designation, amendment and change of boundaries for ERZ washes.* Designations of new areas subject to this section and changes to existing designations shall be in conformance with the Zoning Examiner Legislative Procedures, Sec. 5.4.1 and 5.4.3. For designation of new area within the City, the proposed designation shall be reviewed by the Stormwater Advisory Committee (SAC) and Stormwater Technical

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Advisory Committee (STAC) prior to the public hearing before the Zoning Examiner. The recommendations of the SAC and STAC shall be forwarded to the Zoning Examiner prior to the public hearing. (Ord. No. 9967, §2, 7/1/04)

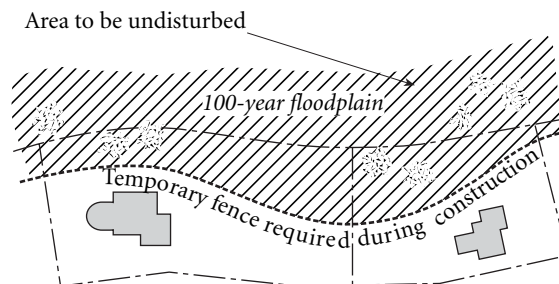
- E. *Approved Subdivisions.* Where a recorded plat shown on the Environmental Resource Zone Overlay Maps (ERZ Maps) is resubdivided, it must comply with these regulations.
- F. *Annexation.* As annexation occurs, additional resource corridors or extensions of resource corridors may be added to the Environmental Resource Zone Overlay Maps (ERZ Maps).

2.8.6.3 **Exceptions.** These regulations do not apply to the following.

- A. Any single-family residence or other development existing as of July 3, 1990, or any expansion of up to twenty-five (25) percent of either an existing residence or other development.
- B. Any lot or parcel to be developed with one (1) single-family residence where all development and the residence and any accessory structures are located outside of the critical riparian habitat area.
- C. Any subdivision which was recorded prior to August 3, 1990, as long as:
  - 1. Substantial construction occurs within five (5) years after August 3, 1990, and
  - 2. Construction occurs in accordance with the approved plat.
- D. Where these regulations affect a parcel which is also subject to the Hillside Development Zone (HDZ) regulations, these regulations do not apply as long as there is no encroachment into the one hundred (100) year floodplain.

2.8.6.4 **Review and Approval Required.** Two (2) options are available for development under these regulations.

- A. *No Encroachment in Floodplain.* Where the owner of a lot or parcel affected by these regulations chooses to leave the one hundred (100) year floodplain undisturbed, the Environmental Resource Zone (ERZ) does not apply except that temporary fencing will be placed between the project site and the floodplain area as provided in Sec. 2.8.6.6.B; where permitted by the floodplain ordinance, development in this floodplain area is allowed as provided in Sec. 2.8.6.6. (*See Illustration 2.8.6.4.A.*) (Ord. No. 9138, §1, 10/5/98)



**2.8.6.4 .A No Encroachment in Floodplain (ERZ)**

- B. *Study of Resource Corridor.* Where the owner of a lot or parcel affected by these regulations chooses to do a study of the resource corridor, a development submittal containing the following information is provided in accordance with the DSD – Full Notice Procedure, Sec. 23A-50 and 23A-51. All applications under this subsection shall also be reviewed by the Stormwater Advisory Committee (SAC), which shall

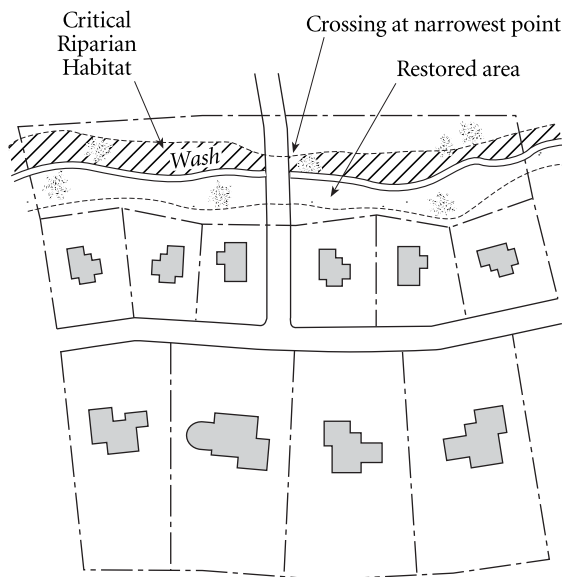
make recommendations on the application to the DSD Director. (Ord. No. 9392, §1, 5/22/00; (Ord. No. 9967, §2, 7/1/04)

1. Submittal material will include an Environmental Resource Report as established in Development Standard 9-06.0. This Report presents a study of the resource corridor and documents locations of the resource corridor and critical riparian habitat. (Ord. No. 9967, §2, 7/1/04)
2. If preservation of the critical riparian habitat cannot be accomplished as provided in these regulations, the submittal will include a mitigation plan as required in Sec. 2.8.6.5.D.
3. Permits for grubbing, grading, construction, or any other improvements will not be issued until all applicable requirements of Sec. 2.8.6.5 and Sec. 2.8.6.6 are met.

**2.8.6.5**     Development Regulations.

- A. *Preservation of Critical Riparian Habitat.* Preservation of one hundred (100) percent of critical riparian habitat areas within the resource corridors for parcels shown on the Environmental Resource Zone Overlay Maps (ERZ Maps) is required, except as provided in Sec. 2.8.6.4 and Sec. 2.8.6.6. The critical riparian habitat area may be included as part of any required open space on the site.
- B. *Residential Development.* Residential development of four (4) or more dwelling units is allowed only as provided in Sec. 3.6.1, Residential Cluster Project (RCP), except as provided in Sec. 2.8.6.3.B. Use of the RCP provides for the maximum amount of critical riparian habitat preservation while preserving density options.
- C. *Nonresidential Development.* Nonresidential development is allowed based on underlying zoning.
- D. *Mitigation Plan.* Where preservation of the critical riparian habitat area cannot be accomplished as provided in these regulations, the owner is required to submit a mitigation plan, which will be reviewed in accordance with the DSD – Full Notice Procedure, Sec. 23A-50 and 23A-51, containing the following. (Ord. No. 9392, §1, 5/22/00; Ord. No. 9967, §2, 7/1/04)
  1. A statement of findings as to why one hundred (100) percent preservation of the critical riparian habitat area cannot be accomplished.
  2. The plan will document the specific impact of the development on existing critical riparian habitat areas within the resource corridor.
  3. The mitigation plan will present the techniques considered to lessen the impacts of the development on the critical riparian habitat areas. The techniques employed by the development project should protect remaining critical riparian habitat and restore critical riparian habitat areas disturbed during construction. This may be done through clustering development away from substantial amounts of critical riparian habitat, enhancement of degraded critical riparian habitat areas through revegetation or restoration, or other means appropriate to the type of project. (*See Illustration 2.8.6.5.D.3.*)

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#### 2.8.6.5.D.3 Mitigation Options

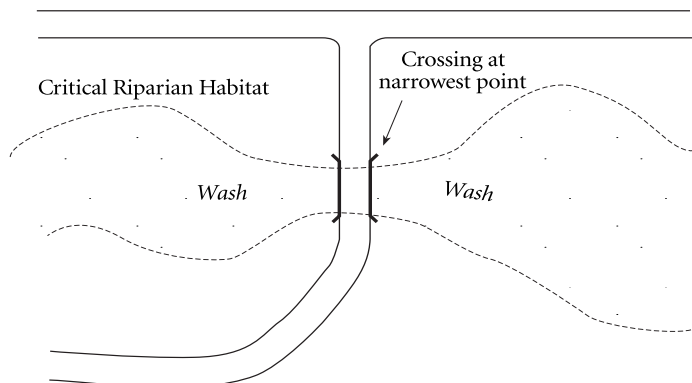
4. The plan will provide for one hundred (100) percent restoration of the critical riparian habitat area disturbed during construction as detailed in Sec. 2.8.6.6.A.6, Sec. 2.8.6.6.A.7, and Sec. 2.8.6.6.A.8.
  5. In reviewing the statement of findings and the mitigation plan, such factors as the amount, quality, and predisturbance condition of the critical riparian habitat within the resource corridor; the contiguity of the critical riparian habitat; the presence of any endangered species; the upstream or downstream characteristics of the designated wash; the alternatives to the layout and design of the project; and any other pertinent factors relating to the proposed development or the critical riparian habitat that may be provided by the owner and the reviewing parties will be taken into consideration. (Ord. No. 9138, §1, 10/5/98; Ord. No. 9392, §1, 5/22/00)
- E. *Temporary Fencing Required.* No grubbing, grading, or construction will occur on a project site which includes areas designated to be retained in a natural state, until those designated areas are temporarily fenced.
- F. *Inspection of Fencing.* All temporary fencing will be field inspected before any construction on the site begins. Fencing will be removed only on completion of construction. (Ord. No. 9392, §1, 5/22/00)

#### 2.8.6.6 Standards for Roadway/Utility Encroachment.

- A. *Standards.* The following standards are required as part of the mitigation plan, where applicable. They are also required for any allowed encroachment into critical riparian habitat areas. Encroachment which may be allowed is limited to utilities, roadway improvements, walkways, or bike paths. (Ord. No. 9138, §1, 10/5/98)
1. Roadway, bike path, and walkway improvements and utility encroachments into critical riparian habitat areas will be limited and approved only if there are no other alternatives in the design of the project. Where allowed, roadway, bike path, and walkway improvements and utility encroachments will cross critical riparian habitat areas, not run parallel to the critical riparian habitat.



2. Where roadway, bike path, and walkway improvements are allowed to encroach into critical riparian habitat areas, they are allowed only at the narrowest point of the critical riparian habitat. (See *Illustration 2.8.6.6.A.2.*)



**2.8.6.6.A.2 Riparian Crossing**

3. All utilities in critical riparian habitat areas will be located underground; utilities will be placed either along roadway, bike path, or walkway improvements or within approved easements.
  4. Any roadway, bike path, or walkway improvement which impedes the movement of wildlife must be constructed in such a manner as to provide means for safe and accessible passage. Improvements or encroachments into critical riparian habitat areas should be constructed to minimize disruption of vegetation and critical riparian habitat. Where culverts are used, they should be box culverts a minimum of six (6) feet in height.
  5. Where a roadway, walkway, or bike path improvement or utility encroachment occurs within the critical riparian habitat area, revegetation is required for any area disturbed because of such construction.
  6. Revegetation should include plant material salvaged from the site.
  7. Revegetation should recreate the critical riparian habitat through the planting of trees, shrubs, and seed mix native to the site and be equal to the predisturbance plant density, diversity, and volume on the net site.
  8. A maintenance program is required for revegetated/restored or enhanced areas so that plant material is replaced as needed.
- B. *Temporary Fencing Required.* No grubbing, grading, or construction will occur on a project site which includes areas designated to be retained in a natural state until those designated areas are temporarily fenced.
- C. *Inspection of Fencing.* All temporary fencing will be field inspected before any construction on the site begins. Fencing will be removed only on completion of construction. (Ord. No. 9392, §1, 5/22/00)

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2.8.6.7 Standards for Fences, Walls, and Exterior Lighting. The following will be reviewed as provided in Sec. 2.8.6.5.

- A. *Fences and Walls.* Neither fences nor walls will be allowed which impede wildlife movement through designated critical riparian habitat areas except for temporary fencing. If barbed wire fencing is used, the bottom and top wire must be barbless; bottom clearance of at least eighteen (18) inches from the ground is required.
- B. *Exterior Lighting.* Lighting sources will be confined to wall-mounted fixtures or standards a maximum of forty-two (42) inches in height, spaced to create pools of light rather than a saturated condition. Neither high-pressure sodium nor mercury vapor lighting will be used. All lighting sources will be shielded to reduce dispersed light.

2.8.6.8 Variances and Appeals.

A. *Variance Requests.*

- 1. The Design Review Board (DRB) shall review all requests for variances from Environmental Resource Zone (ERZ) regulations as provided in Sec. 5.1.8.3.F and shall forward its recommendations to the Board of Adjustment in accordance with the Board of Adjustment Full Notice Procedure, Sec. 23A-50 and Sec. 23A-52. (Ord. No. 9967, §2, 7/1/04)
- 2. If the City Engineer or designee, a notified property owner, or the applicant for the variance requests consideration of stormwater management issues related to the variance, the Stormwater Technical Advisory Committee (STAC) may review the variance request concurrently with the Design Review Board (DRB) and may provide written or oral testimony at the public hearing for the variance request. Any such testimony must address the required findings. (Ord. No. 9392, §1, 5/22/00; Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9179, §1, 12/14/98)

B. *Appeals of the DSD Director's Decision.*

- 1. Appeals of the Development Services Department (DSD) Director's decision are reviewed by the Design Review Board (DRB) if the DRB did not review the application prior to the DSD Director's Decision. The DRB will forward a recommendation to the Mayor and Council in accordance with the Mayor and Council Appeal Procedure, Sec. 23A-62. (Ord. No. 9392, §1, 5/22/00; Ord. No. 9967, §2, 7/1/04)
- 2. The Mayor and Council shall decide appeals in accordance with the Mayor and Council Appeal Procedure, Sec. 23A-62, based on the record and on any recommendations received from the Design Review Board (DRB). (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9179, §1, 12/14/98)

- C. *Proposed Land Use Code (LUC) Amendments.* The Stormwater Advisory Committee (SAC) may review all proposed amendments to this Section and may provide written conclusions and recommendations to the Director of the Department of Transportation to be forwarded to the Planning Commission and the Mayor and Council prior to public hearings on the proposed amendments. (Ord. No. 9374, §1, 4/10/00; Ord. No. 9582, §3, 8/6/01)

**2.8.7        RESERVED**

**2.8.8        "H" HISTORIC PRESERVATION ZONE (HPZ).**

2.8.8.1        Purpose. The purpose of this zone is to promote the educational, cultural, economic, and general welfare of the community and to ensure the harmonious growth and development of the municipality by encouraging the preservation and rehabilitation of historic districts, historic sites and structures, and archaeological resources. This zone is intended to ensure the retention of early structures and to keep them in active use and in their original appearance, setting, and placement. It is also intended that new or remodeled structures, located within historic districts, be designed and constructed to harmonize with structures located within the immediate vicinity, in order to preserve property values, provide for future development, and promote an awareness of the heritage of Tucson among both residents and visitors to the community.

2.8.8.2        Applicability. The Historic Preservation Zone (HPZ) is an overlay zone superimposed over underlying zoning.

- A. The HPZ applies to specifically mapped areas where there is an individual historically important structure, a group of surviving related structures in their original setting, or an archaeological site which gives a historic dimension to the city. A list of established historic districts and Historic Landmarks is published as Development Standard 9-03.0 and is updated by the Department of Urban Planning and Design based on Mayor and Council action. Demolition requests in pending historic districts are subject to the requirements of Sec. 2.8.8.12. To identify each of the HPZ historic districts or Historic Landmarks on the City of Tucson Zoning Maps, the preface "H" is added to the assigned residential, office, commercial, or industrial zone designation, i.e., R-1 becomes HR-1. (Ord. No. 9967, §2, 7/1/04)
- B. The designation, amendment and change to boundaries of a historic district are established by the Mayor and Council in accordance with Sec. 2.8.8.3 and the Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. (Ord. No. 9967, §2, 7/1/04)

2.8.8.3        Establishment and Amendment to Historic Districts.

- A. *Criteria for Establishing and Amending Historic Districts.* In determining if an area, neighborhood, or district shall be established as a historic district, whether boundaries of an existing district shall be changed or the district dissolved the following criteria shall be examined.
  - 1. A historic district shall include historic sites or structures, as defined in Sec. 6.2.8.
  - 2. A historic district should include a group of related sites, buildings, and structures in their original setting which contribute to an understanding of the heritage of the community.
  - 3. The group of structures, buildings, or sites should provide the area with a sense of uniqueness, and it should be readily distinguishable from other areas of the community.
  - 4. There should be a sufficient number of structures of related or similar characteristics to make a recognizable entity.
- B. *Preliminary Assessment.* A preliminary assessment of the proposed historic district or Historic Landmark shall be provided to the DSD Director for review and recommendation to the Mayor and Council. The preliminary assessment should include the boundaries, a summary of the resources in the proposed historic district, evidence that a proposed district has historic significance, and a list of proposed advisory board members.

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C. *Proposed Historic District or Historic Landmark.*

1. An area may be proposed for historic district designation or amendment by any of the following.
  - a. The Mayor and Council.
  - b. The property owners of fifty-one (51) percent or more of the land area of the proposed historic district. (For calculation only, one owner per property.)
  - c. Sixty-five (65) percent or more of the property owners within the proposed historic district. (For calculation only, one owner per property.)
2. A property may be proposed for designation as a Historic Landmark, Contributing Property, or Noncontributing Property by any of the following.
  - a. The Mayor and Council.
  - b. The owner of the proposed Historic Landmark, Contributing Property, or Noncontributing Property if it is a single property or any of the owners if more than one property.
  - c. The Tucson-Pima County Historical Commission.

D. *Initiation.* The request to establish or amend a historic district or Historic Landmark is forwarded to the Tucson-Pima County Historical Commission for review and recommendation to the Mayor and Council. The Mayor and Council make a decision to initiate the establishment or amendment of a historic district or Historic Landmark. An amendment to the designation of properties within an established historic district does not require initiation by the Mayor and Council.

1. *Neighborhood Meeting.* Prior to requesting consideration by the Mayor and Council, the applicant shall offer to meet with all owners of and residents on property within the proposed district. This meeting may satisfy the requirement for a neighborhood meeting in *LUC* Sec. 5.4.1.B, provided the offer to meet shall be no more than one year before the Zoning Examiner public hearing.
2. *Public Meeting.* Requests to initiate the consideration of establishing or amending a historic district or Historic Landmark will be considered by the Mayor and Council in a public meeting.
3. *Decision.* The Mayor and Council make the decision on whether or not to initiate the process to consider the establishment of, or amendment to, a historic district or Historic Landmark. As part of the decision to initiate, the Mayor and Council shall determine the proposed boundaries of the historic district or Historic Landmark and appoint a historic district advisory board for the proposed historic district to assist in the evaluation. Appointment, terms, and qualifications of the advisory board shall be in accordance with Sec. 5.1.10.
4. *Notice of Decision.* A Notice of Decision is provided by the City Clerk.
5. *Expiration of Initiation.* The initiation by the Mayor and Council of the establishment of, or amendment to, a historic district or Historic Landmark shall expire five (5) years from the date the Mayor and Council make the decision to initiate.

E. *Historic Property Survey, Inventory and Development Standards.* Should the Mayor and Council initiate the establishment, amendment, or designation process, the following shall be accomplished by the advisory board and the Tucson-Pima County Historical Commission.

1. Survey and Inventory for a Proposed Historic District. It is the responsibility of the applicant and advisory board to prepare a cultural resources survey and inventory of the area initiated by the Mayor and Council for consideration. The survey and inventory shall identify historic sites and structures within the proposed boundaries by listing and on a map. The applicant and advisory board shall consult with staff during the survey and inventory process.
  2. Survey and Inventory of a Proposed Historic Landmark. It is the responsibility of the applicant to prepare a cultural survey and inventory for review by staff and recommendation to the Mayor and Council. The applicant shall consult with staff during the survey and inventory process.
  3. Initial Design Development Standards. It is the responsibility of the applicant and advisory board to prepare the initial development standard designating the design criteria and standards for the proposed historic district. The initial development standards shall be submitted to the Mayor and Council with the survey and inventory. The applicant shall consult with staff during the preparation of the initial design development standards.
  4. Acceptance. Staff will review the survey and inventory information and accept or reject the application within fourteen (14) days of submittal.
- F. *Change of Zoning.* Upon acceptance of the survey and inventory information by the DSD Department, the application shall be processed through the Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3. The Mayor and Council decision on the change of zoning may include the designation of sites or structures as Contributing, Non-Contributing or Intrusive, the designation of historic landmarks and the boundaries of the historic district. In addition to the published and mailed notice, posted notice shall be provided at a minimum of three locations within the proposed district.
- G. *Dissolution of a Historic District.* A Historic District may be dissolved through the Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3.

(Ord. No. 9967, §2, 7/1/04)

2.8.8.4 Permitted Uses. The land uses permitted within the HPZ are as follows.

- A. *Uses Permitted by the Underlying Zoning.* Those uses permitted by the underlying zoning and reasonably accommodated within existing structures without altering the historic nature or significance of the structure.
- B. *Retail Sales by Resident Artisans.* Retail sales by resident artisans may be permitted notwithstanding limitations of the underlying zoning regulations. A resident artisan use requires review and approval by the Development Services Department Director in accordance with the Limited Notice Procedure, Sec. 23A-40. A resident artisan use may be allowed as a secondary use to a principal residential use per the criteria listed below. (Ord. No. 9967, §2, 7/1/04)
1. The resident artisan use applies only to the applicant's use and the premises for which approval was sought.
  2. Retail sales are limited to goods produced on the premises by an artisan residing on the premises limited to the following.
    - a. Fine and commercial art, sculpture, and writing.
    - b. Crafts, including ceramics, metal, wood, jewelry, leather, weaving, antique repair, and custom furniture.

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- c. Photography.
  - d. Similar activities as may be approved by the Development Services Department Director. (Ord. No. 9967, §2, 7/1/04)
3. The exterior appearance of the existing structure is not altered for the purposes of the nonresidential use.
  4. A sign shall identify only the resident artisan or residence and conform to the requirements of the HPZ and the Sign Code, Chapter 3 of the Tucson Code, except that the size of the sign is limited to one and one-half (1½) square feet in area.
  5. Storage, parking, and working areas are screened in conformance with Sec. 3.7.0, Landscaping and Screening Regulations, with materials compatible with those in the historic district as approved by the Development Services Department Director. (Ord. No. 9967, §2, 7/1/04)
  6. The resident artisan use occupies no more than twenty-five (25) percent of the floor area of the site, nor is there exterior display, activity, or advertisement of products or services.
  7. No more than one (1) nonresident is employed on the premises.
  8. The activity does not create traffic, parking, noise, odors, waste materials, electrical interference, or any other negative impact which would adversely affect the character of the historic district.
  9. Only products or services produced on site may be sold from the premises.

#### 2.8.8.5 Development Review Required.

- A. *Generally.* Review and approval, of all properties, buildings, signs, and structures within the HPZ, are required for all development and improvements, including new construction or improvements which do not require building permits. All reviews are based on development criteria per Sec. 2.8.8.6. Prior to the submittal of a proposal, the applicant should consult with the applicable historic district advisory board and refer to the Secretary of the Interior's Standards for Rehabilitation.

Required review in the HPZ consists of two (2) distinct processes. Most new construction and improvements are reviewed through the complete HPZ review process per Sec. 2.8.8.5.B. Some new construction and improvements which are minor in nature are reviewed through a review process called a Minor Review per Sec. 2.8.8.5.C.

- B. *Full HPZ Review.* Approval is required in accordance with the DSD Full Notice Procedure, Sec. 23A-50 and 23A-51, for the following. Staff shall consult with the appropriate advisory board and the Tucson-Pima County Historical Commission Plans Review Subcommittee in deciding whether a proposed project conforms to the development criteria for the historic district. The appropriate advisory board and the Tucson-Pima County Historical Commission Plans Review Subcommittee shall be parties of record for each Full HPZ review application for the purpose of determining notice and the right to appeal. (Ord. No. 9967, §2, 7/1/04)
1. Grading or the erection or construction of a new structure.
  2. A permit for any alteration involving the modification, addition, or moving of any part of an existing structure, including signs, which would affect the exterior appearance, except as provided in Sec. 2.8.8.5.C.